

**SAN DIEGO UNIFIED SCHOOL DISTRICT  
School Police Services  
Supervisor's Investigation**

**Date of Incident:** April 11, 2013  
**Time of Incident:** 0725 hours  
**Location of Incident:** Mira Mesa High School  
**Subject:** Campus Police Officer Anthony Gonzalez

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SUPERINTENDENT, CHIEF OF POLICE AND / OR  
DISTRICT GENERAL COUNSEL.**

**Supervisor:** Palkovic, Dan  
San Diego Unified School District Police Department  
Sergeant / Dist. ID# Redacted  
4100 Normal Street  
San Diego, CA 92103  
(619) 725-7000

**Subject Officer:** Gonzalez, Anthony  
San Diego Unified School District Police Department  
Campus Police Officer / Dist.ID# Redacted  
Mira Mesa High School  
4100 Normal Street  
San Diego, CA 92103  
(619) 725-7000

**Witness Employee:** Leonard, Sara  
Vice Principal  
Mira Mesa High School  
10510 Reagan Road, San Diego, CA 92126  
(858) 566-2262  
DOB: Redacted

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Witness Employee: Sturgeon, Virginia  
Vice Principal  
Mira Mesa High School  
10510 Reagan Road, San Diego, CA 92126  
(858) 566-2262  
DOB: Redacted

Witness Employee: Del Carmen, Francisca  
Vice Principal  
Mira Mesa High School  
10510 Reagan Road, San Diego, CA 92126  
(858) 566-6626  
DOB: Redacted

Witness: Redacted

Witness: Redacted

Witness: Redacted

Witness: Redacted

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Witness: Redacted

Witness: Redacted

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**SYNOPSIS:**

On April 11, 2013, at approximately 0725 hours, several students were observed by a staff member, Coach John Taylor, smoking marijuana in their vehicle, which was parked on a dirt lot at Mira Mesa High School. The staff member notified school security along with their campus police officer, Anthony Gonzalez.

During a search conducted by Officer Gonzalez, for drugs and / or paraphernalia, a purple plastic prescription drug container containing marijuana was found on one of the students, along with a multi colored glass smoking pipe. Officer Gonzalez took custody of the purple plastic container and glass pipe.

On April 17, 2013, while reviewing the 'seven day weekly activity report' distributed to supervisors by the department's crime analyst, I noticed Officer Gonzalez cleared a call on April 11, 2013 with an 'A', indicating he had made an arrest. As his immediate supervisor, I have worked with Officer Gonzalez since December, 2012 on improving the quality of his police reports specifically on content, accuracy, grammatical issues, and submitting them in a timely manner. I did not recall reviewing or approving this particular report, so I questioned Officer Gonzalez about its status and whereabouts.

On April 18, 2013, I sent Officer Gonzalez an email inquiring about this particular report, SDUSD Police CAD Incident #2013040889. Officer Gonzalez responded to my email, via email, by indicating the call should have been changed from someone in possession of marijuana to someone under the influence, 11357 H&S to 11550 H&S.

On April 19, 2013, I visited Officer Gonzalez's office at Mira Mesa to clarify this particular incident, and discuss several unrelated report issues.

Regarding this particular incident, Officer Gonzalez informed me there were no drugs or paraphernalia found on April 11, 2013, and he had made a mistake by clearing the call with an 'A' (indicating an arrest). He added that this call should have been cleared with a 'K' (indicating no arrest and no police report.)

However, I then met with two Mira Mesa High School administrators regarding this particular incident, and they gave me conflicting information. It was then that I developed the suspicion that Officer Gonzalez may have been lying to me.

During my subsequent investigation, my initial suspicions were proven true when confirming that Officer Gonzalez had recovered drugs and paraphernalia on students on April 11, 2013.

I also conducted a records check with the San Diego Police Department's property room data base under Officer Gonzalez's name and identification number; this revealed Officer Gonzalez

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had not conducted any narcotic impounds during the entire 2012-13 school year. This information directly conflicts with data listed in the SDUSD Police Department's CAD system, along with witnesses detailed later in this report.

### **ALLEGATIONS:**

#### **1. FAILURE TO BE TRUTHFUL PER DEPARMENT GENERAL ORDERS:**

SDUSD Police Department General Order A-3.1 subsection AA, Accountability and Truthfulness, reads:

*"Members are directly accountable for their actions, through their supervisor, to the Chief of Police.*

*Members shall cooperate fully in any investigation conducted by this or any other authorized agency and shall provide complete and accurate information in regard to any issue under investigation.*

*Members shall be accurate, complete and truthful in all matters.*

*Members shall accept responsibility for their actions without attempting to conceal, divert or mitigate their true culpability nor shall they engage in efforts to improperly influence, or interfere with an internal or criminal investigation.*

*Any member who is arrested, cited, or comes under investigation for any criminal offense in any jurisdiction, or whose driver's license is suspended or revoked, shall report it to the Chief of Police as soon as possible.*

*Upon the order of a superior or any officer appointed by the Chief of Police to conduct an internal investigation and in accordance with Constitutional guarantees, members shall truthfully answer all questions related to the scope of employment and operations of the Department."*

#### **2. CODE OF CONDUCT / ETHICS:**

SDUSD Police Department General Order A-3.1 subsection Z Department Reports and Confidential Information, reads:

*"Members shall submit all necessary reports on time and in accordance with established Department procedures. Reports submitted by members shall be truthful and no member shall knowingly enter or cause to be entered any inaccurate, false or improper information.*

*Members shall not remove or destroy any official report or record of the Department except in accordance with Department procedure at the direction of the Chief of Police or under due process of law.*

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*Members shall not disclose confidential information or information which compromises any criminal investigation acquired in the course of their employment with the District except in the performance of their duties or as required by law.*

*Members shall not provide to any person any police document, except as permitted by department policy or as required by law."*

**3. FAILURE TO PROPERLY IMPOUND EVIDENCE PER DEPARTMENT GENERAL ORDERS:**

SDUSD Police Department General Order A-9.5, subsection III, A.7, Impound and Disposal of Property, reads:

*"All narcotics will be impounded at SDPD area stations before the end of the workday without exception (SDPD form PD-235)."*

**4. FAILURE TO PROPERLY IMPOUND EVIDENCE PER DEPARTMENT GENERAL ORDERS:**

SDUSD Police Department General Order A-9.5 subsection III, A.9 Impound and Disposal of Property, reads:

*"Cans or bottles containing alcohol related to a case will be photographed and then disposed of."*

**5. FAILURE TO SUBMITT REPORTS WITHIN FIVE DAYS PER DEPRATMENT GENERAL ORDERS:**

SDUSD Police Department General Order B-4.1 subsection E, 5, Reports, reads:

*"All other reports, except lost property, petty thefts less than \$50.00 and vandalism less than \$100.00, shall be submitted within five (5) working days."*

**CONCLUSIONS:**

**FAILURE TO BE TRUTHFUL PER DEPARMENT GENERAL ORDERS:**

SDUSD Police Department General Order A-3.1 subsection AA, Accountability and Truthfulness — **SUSTAINED**

Officer Gonzalez violated said provisions of the SDUSD Police Department's General Orders by consciously lying to me during this investigation.

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During a conversation with Officer Gonzalez on April 19, 2013 regarding the incident on April 11, 2013, Officer Gonzalez clearly told me there were no drugs/paraphernalia found the day of the incident. Officer Gonzalez told me the call disposition should have been changed from an 'A' to a 'K'. My investigation later confirmed that marijuana and a glass pipe had been found on two students, and then turned over to Officer Gonzalez.

Fourteen days later after serving Officer Gonzalez a letter stating he was the subject officer in an internal investigation and after obtaining consent from Officer Gonzalez to search through his office, Officer Gonzalez suddenly produced the drugs and glass pipe which were found on the students on April 11, 2013. Gonzalez told me had retained the drugs/paraphernalia in his desk at Mira Mesa because one of the students was a senior on the verge of not graduating.

Officer Gonzalez also demonstrated during our interview, his willingness to be deceptive and untruthful by agreeing he had investigated several drug type arrests this school year and the drugs he obtained from those investigations, were in fact, impounded into the SDPD property room. However, once I provided him information in the form of a report log generated by the SDPD property room manager, revealing he did not impound one piece of drug / narcotic type evidence this school year, 2012 – 2013, he recanted his comment and told me he in fact did not impound any drugs/narcotics this school year.

#### **CODE OF CONDUCT / ETHICS:**

SDUSD Police Department General Order A-3.1 subsection Z Department Reports and Confidential Information — **SUSTAINED**

Based on my investigation, the allegation is SUSTAINED. Officer Gonzalez violated said provisions of the SDUSD Police Department's General Orders, by entering information into a police report knowing it to be untruthful.

The report in question is from this incident on April 11, 2013 incident number 2013040889. Officer Gonzalez stated in the report, '1.65 grams of Marijuana was impounded at the San Diego Police North Eastern station property room.' However, Officer Gonzalez admitted in our interview he in fact never impounded any marijuana into the SDPD property room and he personally handed me an envelope containing the marijuana in question, on April 25, 2013 after serving him a letter stating he was the subject officer in an internal investigation.

It was also determined through the investigation, Officer Gonzalez had not impounded any drugs/narcotics this entire school year, 2012 – 2013 even though he said in our interview together that he had.

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**FAILURE TO PROPERLY IMPOUND EVIDENCE PER DEPARTMENT  
GENERAL ORDERS:**

SDUSD Police Department General Order A-9.5, subsection III, A.7, Impound and Disposal of Property – **SUSTAINED**

Officer Gonzalez violated said provisions of the SDUSD Police Department's General Orders by failing to properly impound drugs/narcotics into the SDPD property room before the end of shift.

Officer Gonzalez obtained marijuana from a student on April 11, 2013, and still had the marijuana in his office on April 25, 2013, fourteen days later. Upon serving Officer Gonzalez a letter stating he was the subject of this internal investigation, Officer Gonzalez produced a manila envelope from his desk containing the said drugs of the investigation.

Officer Gonzalez admitted the reason for not properly impounding the drugs/narcotics by the end of his shift as per the department's General Order was due to laziness.

Officer Gonzalez also admitted in his interview to destroying additional evidence from other cases by flushing it down a toilet. When I asked Officer Gonzalez if we, the department, has ever taught/trained him to destroy drugs/narcotics in this type of a fashion, he replied, 'no.'

**FAILURE TO PROPERLY IMPOUND EVIDENCE PER DEPARTMENT  
GENERAL ORDERS:**

SDUSD Police Department General Order A-9.5 subsection III, A.9 Impound and Disposal of Property — **SUSTAINED**

Officer Gonzalez violated said provisions of the SDUSD Police Department's General Orders by failing to properly dispose of bottles containing alcohol.

On April 25, 2013, while conducting a consensual search of the police office at Mira Mesa High School, I observed a large white bottle of Malibu Rum completely full sitting on a table. When questioned about the bottle, Officer Gonzalez informed me the bottle was related to an arrest he made on April 12, 2013. The bottle had been sitting in his office for thirteen days after the arrest and Officer Gonzalez had still had not disposed of it per department regulations.

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**FAILURE TO PROPERLY IMPOUND EVIDENCE PER DEPARTMENT  
GENERAL ORDERS CONTINUED:**

During my interview with Officer Gonzalez, he informed me the reason he had not disposed of it was because he keeps evidence (such as this) to present at the school district's Expulsion Hearing, despite knowing it is a violation of the department's General Orders.

**FAILURE TO SUBMITT REPORTS WITHIN FIVE DAYS PER DEPRATMENT  
GENERAL ORDERS:**

SDUSD Police Department General Order B-4.1 subsection E, 5, Reports –  
**SUSTAINED**

Officer Gonzalez violated said provisions of the SDUSD Police Department's General Orders by failing to submit the report for this particular incident which occurred on April 11, 2013.

The report was subsequently found on his desk on April 25, 2013, fourteen days after the incident, the day he was served a letter stating he was the subject officer of an internal investigation. The report had not been approved by a supervisor and contained several errors.

**BACKGROUND:**

Officer Gonzalez was hired as a police officer with SDUSDPD on September 2, 2003. He has been assigned to Mira Mesa High School as a Campus Police Officer since September 1, 2012.

**INVESTIGATION:**

On April 17, 2013, I was reviewing a weekly report generated by our department's crime analyst, titled '7 day weekly activity report.' The report lists incident numbers generated for officers, along with a brief description of the event, along with the disposition of the call.

The weekly report indicated a call was assigned to Officer Gonzalez on April 11, 2013, at 09:08:09 hours, for a complaint code of 11357 (possession of marijuana), and assigned an incident number of 2013040889. The incident was initiated by Officer Gonzalez phoning into dispatch requesting an incident number for a student found to be in possession of marijuana; Officer Gonzalez later cleared at 13:49:08 the same day with a disposition code of an 'A'.

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**INVESTIGATION CONTINUED:**

On April 18, 2013, I emailed Officer Gonzalez requesting information pertaining to this particular report. Officer Gonzalez replied to my email, via email, stating he was reviewing his notes, and this incident should have been changed to a complaint code of 11-50 (indicating a vehicle traffic stop). I replied, via email, by asking him how an 11357 call cleared with an 'A' got turned into an 11-50 traffic stop. Officer Gonzalez replied, "It wasn't a traffic stop. There were five students who got high before school by a car that was parked next to the dirt lot 11550'. (11550 code is for an individual under the influence of narcotics)

On April 19, 2013, I visited Mira Mesa High School to discuss reports I was returning to Officer Gonzalez for corrections. I asked him to explain the incident on April 11, 2013, because I was still confused from the email conversation (detailed above) that we had the day prior.

Officer Gonzalez told me campus security found several students smoking marijuana in a parked vehicle on the west side of campus in a dirt lot. Campus security called for his assistance. Upon arriving, Officer Gonzalez said the car reeked of marijuana, as if the students just got done smoking. He told me the students were searched along with the vehicle, but nothing was found, no drugs, lighters or smoking paraphernalia.

I was now completely confused and needed further clarification. I said to Officer Gonzalez, "You mean to tell me, you walked up on a car which smelled as bad as it did, as if the students had just finished smoking marijuana, and you found no drugs or any paraphernalia?" Officer Gonzalez replied, "Yep, nothing was found." I ended our conversation and left his office.

I then visited Vice Principal Sara Leonard in her office at Mira Mesa High School. I asked Leonard to explain what she knew regarding the marijuana incident on April 11, 2013. Leonard said there had been several students found in a vehicle parked in the dirt lot. One of the students had a purple prescription container filled with marijuana, while another student was found to be in possession of a marijuana pipe. Leonard suspended several students for possession on that day. I asked Leonard if there were any other staff members who may be familiar with this particular incident, and she replied that Vice Principal Frannie Del Carmen was aware of it.

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**INVESTIGATION CONTINUED:**

I asked Leonard if she would call Frannie Del Carmen into her office so we could speak. Upon Frannie coming into the office, I asked her if she would explain to me the incident involving the students found in the vehicle smoking marijuana on April 11, 2013.

Del Carmen said security found some students in the parking lot smoking marijuana and then brought them to the office. One of the students was found to be in possession of a purplish colored prescription bottle containing marijuana. Another student was found to be in possession of smoking paraphernalia. She requested Officer Gonzalez come to her office where she handed him the smoking paraphernalia and the container filled with marijuana, as she does anytime she comes across any type of marijuana, drugs or weapons. Officer Gonzalez took possession of the marijuana and walked towards his office.

I later contacted Officer Jerry Waclawek, the caretaker and property manager for the San Diego Police Department's property room, where we impound all drugs and narcotics. I asked Officer Waclawek if there was a way I could obtain a report regarding what a particular officer has impounded into their system for a period of time. Officer Waclawek replied, "Absolutely, all I need is the officer's name and a date range". I provided Officer Waclawek with Officer Gonzalez's name and asked for a search for any impounds he may have conducted, or any other officer who may have handled an impound for Officer Gonzalez between September 2012 to present (April 23, 2013).

Officer Waclawek informed me the search revealed Officer Gonzalez had not impounded anything during this time frame, but that Officer Tomeldan, a patrol officer with our agency, had impounded two items into their system as a transport officer for Officer Gonzalez. One was on September 29, 2012 and the other was one October 1, 2012, both for the impound of marijuana.

I obtained a dispatch computer query for every incident created for Officer Gonzalez this school year, 2012-2013. Out of all the incidents assigned to Officer Gonzalez, 13 of those were for possession of marijuana and cleared with an 'A,' meaning that an impound and police report should have followed.

I contacted our crime analyst again and asked him to run a search through San Diego Police Department's CRMS system (Crime Report Management System), asking if he could locate a report for each one of the 13 incident numbers. Our crime analyst was only able to locate 4 of the 13 reports.

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**INVESTIGATION CONTINUED:**

On April 23, 2013, I briefed Lieutenant Mike Marquez of my findings and that I felt Officer Gonzalez was untruthful with me regarding his actions on April 11, 2013. I also informed Lieutenant Marquez of the apparent violations of several department General Orders.

Lieutenant Marquez and I meet with the district's Human Resources department to inform them of our findings. The district's Human Resources department directed us to notify Officer Gonzalez he was going to be the subject officer of an internal investigation and to serve him a letter stating so.

On April 25, 2013, at about 0640 hours, Sergeant Holliday and I met Officer Gonzalez at Mira Mesa High School. I handed him a letter stating the following:

"This is to inform you that you have been identified as a subject officer in an Internal Affairs investigation. This investigation concerns the following allegations:

- Your conduct regarding a recent drug/ narcotic investigation.

Additional allegations may arise during the course of the investigation.

This investigation stems from an incident which occurred on April 11, 2013 at Mira Mesa High School. Please review any reports or other documents you prepared in connection with this incident, prior to your interview."

I advised him he was allowed to have a representative or an attorney present. I also informed him I wanted to search his office and desk.

Sergeant Holliday and I repeatedly informed Officer Gonzalez we would not discuss the investigation with him at that particular moment, but he could still have a representative present. Officer Gonzalez phoned a representative with the Police Officers Association, informing him of the situation. He was directed to work with us and declined to have a representative present. Officer Gonzalez also gave us consent to search his office, along with his desk.

I began my search with Officer Gonzalez's desk. As I was opening drawers, Officer Gonzalez asked me what I was looking for. I informed him I was looking for items which should not be in the office. Officer Gonzalez reached to the floor on the left side of his

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desk and retrieved a large manila envelope. Officer Gonzalez handed me the envelope saying, "This is what you are looking for." I took possession of the envelope and opened it. Inside I observed a piece of paper, a purple plastic container and a multi colored glass smoking pipe. I emptied the items onto the desk and realized the items matched the description of the contraband recovered from the students on April 11, 2013.

The piece of paper was a student profile print out indicating the name of **Redacted**

In the upper right corner of the piece of paper were four hand written numbers, 0889. (The same numbers I recognized as being the last four numbers of the incident in question, 2013040889).

I then opened the purple plastic container, revealing it contained a small amount of a green leafy substance I recognized as being marijuana, which matched the description of the marijuana found on a student on April 11, 2013. The last item in the envelope was a clear glass smoking pipe with black and blue swirls, along with what appeared to be marijuana residue in the bowl portion of the pipe.

I continued searching the desk, finding a digital scale, a red lighter, a cigar and a clear plastic baggie containing several items, such as a make-shift marijuana pipe, lighter and bottle opener.

After I finished with the desk, I searched the office and found a full bottle of Malibu Caribbean Rum sitting on an adjacent desk. I placed all of the items in a position for Sergeant Holliday to photograph, and then took custody of them. Prior to leaving, I poured the bottle of rum out in some nearby bushes located on a patio adjacent to the police office.

Prior to leaving, we informed Officer Gonzalez we would notify him when we were ready to speak with him regarding our findings, giving him ample time to obtain a representative and/or an attorney of his choice.

Sergeant Holliday and I drove to the San Diego Police Department's North Eastern Station and impounded all of the items I obtained from Officer Gonzalez's office.

After phoning Lieutenant Marquez, informing him of our findings, the decision was made to place Officer Gonzalez on paid administrative leave. At approximately 1100 hours, Lieutenant Marquez, Sergeant Holliday, and I met with Officer Gonzalez and his two union representatives, Detective Ellis and Community Service Officer Hannon, in his office where we informed him he was being placed on paid administrative leave pending the outcome of the internal investigation.

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**INVESTIGATION CONTINUED:**

On April 30, 2013, I started my investigation and witness interviews.

I conducted the following interviews:

- On April 30, 2013, at approximately 0925 hours, I interviewed (CSA) Ann Marie Palma-Kinoshita at Mira Mesa High School.
- On April 30, 2013, at approximately 0950 hours, I interviewed (CSA) Aurelio Morales at Mira Mesa High School.
- On April 30, 2013, at approximately 1019 hours, I interviewed (student) **Redacted** at Mira Mesa High School.
- On April 30, 2013, at approximately 1026 hours, I interviewed (student) **Redacted** at Mira Mesa High School.
- On April 30, 2013, at approximately 1109 hours, I interviewed (Vice Principal) Frannie Del Carmen at Mira Mesa High School.
- On April 30, 2013, at approximately 1142 hours, I interviewed (coach) John Taylor at Mira Mesa High School.
- On April 30, 2013, at approximately 1224 hours, I interviewed (student) **Redacted** **Redacted** at Mira Mesa High School.
- On April 30, 2013, at approximately 1245 hours, I interviewed (student) **Redacted** **Redacted** at Mira Mesa High School.
- On April 30, 2013, at approximately 1305 hours, I interviewed (student) **Redacted** **Redacted** at Mira Mesa High School.
- On May 3, 2013, at approximately 1058 hours, I interviewed (student) **Redacted** **Redacted** at Mira Mesa High School.

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**WITNESS STATEMENTS:**

**Witness interview: (CSA) Ann Marie Palma-Kinoshita:**

On April 30, 2013, at approximately 0925 hours, I interviewed Palma-Kinoshita in a closed office at Mira Mesa High School. There was no one else present during the interview. I captured our conversation using a digital audio recorder. I transferred this audio to a compact disc that is attached to this report.

I asked Palma-Kinoshita to essentially tell me the chain of events regarding the incident on April 11, 2013. Palma-Kinoshita essentially told me the following:

I was on supervision in the front of school at around 0720 hours, monitoring students coming to school with Officer Gonzalez. Coach Morales received a call from Coach Taylor that something was going on near the back of school. Officer Gonzalez and I drove to the back dirt lot where we met with Coach Taylor.

When we arrived, all of the students were standing outside of a car and Coach Taylor told us he called for assistance because there was a strong odor of marijuana coming from the vehicle, which was white and parked in the dirt lot.

Coach Taylor told Officer Gonzalez he saw kids walking towards the metal containers and thought it was a little odd, so he walked over there as well and when he got to the area, he smelled a strong odor of marijuana coming from a car which happened to be parked behind the metal storage container. The car back there belonged to **Redacted**.

Officer Gonzalez told everyone they needed to empty their backpacks and pockets. One by one, the kids emptied their pockets onto my golf cart and I smelled each of their hands. Once they were done, Officer Gonzalez directed each kid to sit on a log lying on the ground. Officer Gonzalez never physically searched any of the students, it was only visual.

Once all of the kids were sitting down, I was keeping an eye on them while Officer Gonzalez was talking to them. I got Coach Morales on the radio and asked for him to come back to our location because I noticed a lot of the kids were football players, and the Coach mentors a lot of the kids.

While Officer Gonzalez was speaking to the students, I was standing behind all of the kids watching them. One of them, **Redacted** was kind of squirrely. Officer Gonzalez even told me to keep an eye on **Redacted** because he was so squirrely. As I was watching them, I

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**Witness interview continued:**

noticed a purple container and a lighter behind the log on the ground. I picked them up and noticed the container was full of marijuana. I handed them to Officer Gonzalez.

Once Officer Gonzalez was done speaking with everyone, he told them to grab their stuff and start walking up to the main office. We followed from behind in the golf cart. We had all of them sit in the counseling office at separate tables. Del Carmen also brought each student to the nurse's office and had them checked out.

I asked Palma-Kinoshita if I showed her a picture of the items recovered during the incident, if she would recognize them. She replied, "Probably, I remember the container was purple and plastic." I showed Palma-Kinoshita a picture of the items contained in the envelope Officer Gonzalez handed me on April 25, 2013. Palma-Kinoshita recognized the container in the photo as the one she found during this incident.

**Witness interview: (CSA) Aurelio Morales:**

On April 30, 2013, at approximately 0950 hours, in a closed office at Mira Mesa High School, I interviewed and recorded Aurelio Morales. There was no one else present during the interview. I captured our conversation using a digital audio recorder. I transferred this audio to a compact disc that is attached to this report.

I asked Aurelio Morales to essentially tell me the chain of events regarding the incident on April 11, 2013. Aurelio Morales essentially told me the following:

We were all in front of the school when I received a call from a PE Coach Taylor regarding some kids in the back of the school possibly smoking. I told Ann Marie who had Officer Gonzalez with her in the golf cart. They drove back to the dirt parking lot to assist Coach Taylor. About 15 to 20 minutes later, I received another phone call from Ann Marie telling me I needed to go back to the dirt parking lot.

When I got back to the dirt lot, I initially didn't see the kids because they were behind the metal storage containers. I stopped at the weight room and asked Coach Taylor where Ann Marie and Officer Gonzalez were. He pointed to behind the containers, so I drove there. Once there, I saw a bunch of kids I know as football players. Redacted

Redacted were all out of the car sitting on the log. There was some stuff found on the ground behind the log. A lighter and a jar, maybe pinkish or maroon in color. I don't know how the stuff got there, but I heard Ann Marie say, 'oh look' as she picked it up and put it down in front of the kids. I didn't see anyone

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**Witness interview continued:**

pick it up from there and we then walked all of the kids up to the office. The next time I saw the stuff, it was up in the office. I was upset that it was kids I'm directly involved with which were caught, because I have gone out of my way with them trying to keep them out of this stuff.

Once the kids were up in the office, I left and didn't see anything going on for a couple of hours. I came back and talked with **Redacted** because he is a personal friend and it really hurt me to see him get caught up in that stuff.

I asked Morales if I showed him a picture of the items recovered from the incident, if he would recognize them. He replied, "Yeah." I showed him a picture of the items contained in the envelope Officer Gonzalez handed me on April 25, 2013. Morales recognized the plastic purple container containing marijuana, but did not recognize the glass pipe.

**Witness interview: (Student)** **Redacted** ;:

On April 30, 2013, at approximately 1019 hours, in a closed office at Mira Mesa High School, I interviewed and recorded **Redacted** . There was no one else present during the interview. I captured our conversation using a digital audio recorder. I transferred this audio to a compact disc that is attached to this report.

I asked **Redacted** to essentially tell me the chain of events regarding the incident on April 11, 2013. **Redacted** essentially told me the following:

I arrived kind of late. I went to my friend's car to get a book. My friend was standing next to another car. I went over to where he was to give him his keys back and that's when a teacher came up to us telling everyone to stay while he called security. I was standing outside of this car with two other guys and there were a bunch of kids in the car. I remember it being around 7:25 or so because I was still able to get to class on time.

Coach Taylor was the teacher who showed up. The car was parked in the dirt lot behind a metal storage container. Coach Taylor told all of the kids to get out of the car and by the time security and Officer Gonzalez showed up, we were all standing outside of the car. Officer Gonzalez told all of us to empty out our pockets. As we were emptying out our pockets, Officer Gonzalez said he was going to do another search, so we better fess up if we had anything. **Redacted** ended up taking out a little green fat container. I don't know if there was any weed in it or not. **Redacted** tried hiding it behind something, but they found it. **Redacted** confessed it was his. I don't think they were smoking weed in the car. I think they did it off campus.

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**Witness interview continued:**

We all went up to the office. They let those of us that weren't high go back to class and the ones who were high, got in trouble and suspended.

I asked **Redacted** if I showed him a picture of the items recovered from the incident, if he would be able to identify them. He replied, 'Probably.' I showed him a picture of the items contained in the envelope Officer Gonzalez handed me on April 25, 2013. **Redacted** replied, 'Actually, I think that is the one but I thought it was green. The reason I think that is the one is because it's fat like the one I was describing.' (Referring to the plastic purple container containing marijuana). He wasn't sure on the glass pipe.

**Witness interview: (student) **Redacted** :**

On April 30, 2013, at approximately 1026 hours, in a closed office at Mira Mesa High School, I interviewed and recorded **Redacted**. There was no one else present during the interview. I captured our conversation using a digital audio recorder. I transferred this audio to a compact disc that is attached to this report.

I asked **Redacted** to essentially tell me the chain of events regarding the incident on April 11, 2013. **Redacted** essentially told me the following:

I got dropped off around 7:24 or something by my brother and I saw **Redacted**. We were going to walk to class together until he said let's go meet up with our other friends at their car. The car belongs to **Redacted** and he always parks there. We saw **Redacted** and met up with him. While at the car a teacher/coach came up and said he smelled marijuana. He told us to stay there while he called security. **Redacted Redacted Redacted** and **Redacted** were all in the car. As soon as we walked up, we could smell marijuana coming from the car.

Security shows up with coach Morales, Ann Marie and the officer. They line us up and tell us to empty our pockets one by one onto the cart. After we emptied our pockets, we each sat down on this log. **Redacted** tried to hide some drugs but Ann Marie found them. They were in a purple container. Officer Gonzalez looked in the car and noticed a pipe inside. I was keeping my head down the whole time, so I don't know if he actually took the pipe out of the car.

They made all of us walk up to the office and they made us sit in the counseling center while they took us one by one to the nurse's office. Officer Gonzalez interviewed **Redacted** because he got caught with the container.

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**Witness interview continued:**

I asked <sup>Redacted</sup> if I showed him a picture of the items recovered from the incident, if he would be able to recognize them. <sup>Redacted</sup> replied, 'Yeah.' I showed him a picture of the items contained in the envelope Officer Gonzalez handed me on April 25, 2013. <sup>Redacted</sup> replied, 'Purple, that's it.' (Referring to the purple plastic container containing marijuana) He was not able to identify the pipe.

**Witness interview: (Vice-Principal) Francisca Del Carmen**

On April 30, 2013, at approximately 1109 hours, in a closed office at Mira Mesa High School, I interviewed and recorded Francisca Del Carmen. There was no one else present during the interview. I captured our conversation using a digital audio recorder. I transferred this audio to a compact disc that is attached to this report.

I asked Francisca Del Carmen to essentially tell me the chain of events regarding the incident on April 11, 2013. Francisca Del Carmen essentially told me the following:

My involvement began at approximately 7:45 AM when I received a call from security indicating they were bringing up approximately seven students to the office for smoking marijuana. Security brought all of the students into the counseling center. As they started coming in, I asked each student to sit by themselves and handed them a piece of paper instructing them to each write a statement of what happened.

As they were writing statements, I brought the students I was responsible for into my office and interviewed them one at a time. The other administrators did the same with their students.

I never searched any of the students and I only saw a blue glass pipe, a funky lighter and a small round Vaseline type container possibly purple in color, all sitting on the Police Officer's desk. I never looked in the purple container and actually saw the marijuana, I was only told about the marijuana.

After speaking with the other administrators, we determined four of the students were actually in the vehicle and took part in smoking the marijuana/Hot Boxing. All four students were suspended, but two of them received an additional punishment for being in possession of marijuana and paraphernalia. I was also told the glass pipe and the lighter were found in the vehicle and the weed was on the other kid, I assumed.

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**Witness interview continued:**

I asked Del Carmen if I showed her a picture of the items recovered from the incident, if she would be able to identify them. She replied, 'Yeah.' I showed her a picture of the items contained in the envelope Officer Gonzalez handed me on April 25, 2013. Del Carmen replied, 'Yes on this one, indicating the purple container, and no on the glass pipe. I also took each student to the nurse's office and had them evaluated.'

**Witness interview: (Coach) John Taylor**

On April 30, 2013, at approximately 1142 hours, in a closed office at Mira Mesa High School, I interviewed and recorded John Taylor. There was no one else present during the interview. I captured our conversation using a digital audio recorder. I transferred this audio to a compact disc that is attached to this report.

I asked John Taylor to essentially tell me the chain of events regarding the incident on April 11, 2013. John Taylor essentially told me the following:

I pulled up before school in the dirt parking lot and noticed several vehicles parked in the back row by the weight room and auto shop. As I was getting out of the car, I was picking up my coffee and keys and noticed a kid we had kicked off the football team, **Redacted**, walking toward me. I saw him make a right hand turn and then go to the back of the parking lot. I thought it was strange he was walking in that direction instead of walking towards the campus as all of the other kids were. I then saw Coach Blevins talking with a parent, so I went over to them and joined their conversation. While talking with them, I saw a second kid, **Redacted** who we had kicked off of the team for drugs, walking in the same direction as **Redacted**. When I saw the both of them going over there, it wasn't hard to put two and two together to figure out what they were up to. I excused myself from the conversation and walked over there to see what was going on.

As I got closer, I noticed a white car parked backed in behind a metal storage container used by the construction company. As I walked around the corner of the container, I asked what was going on here. You could completely smell marijuana in the air; they were smoking marijuana right there. The driver was still in the car, **Redacted**. There were three people in the back and somebody in the passenger seat. There were also two kids outside the car for a total of seven kids. **Redacted** was outside the car along with an Asian student whom I didn't know. **Redacted**, **Redacted** and **Redacted** all got out of the car as if they were going to go to class. I told all of them they weren't going anywhere and I phoned Coach Morales.

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**Witness interview continued:**

Coach Morales, Officer Gonzalez and Ann Marie all showed up a few minutes later. They started questioning the students and I left to go back to my classroom. I heard there was some drugs found on them, but I never saw any drugs or paraphernalia. I did smell a very strong smell of marijuana as if they were smoking it, but never saw anyone smoking.

**Witness interview: (student) Redacted**

On April 30, 2013, at approximately 1224 hours, in a closed office at Mira Mesa High School, I interviewed and recorded Redacted. There was no one else present during the interview. I captured our conversation using a digital audio recorder. I transferred this audio to a compact disc that is attached to this report.

I asked Redacted to essentially tell me the chain of events regarding the incident on April 11, 2013. Redacted essentially told me the following:

I came to school and parked my car back in the dirt lot and was just hanging out. Redacted and Redacted came. Then Redacted came, after that Redacted came and then Coach Taylor came. Sitting in the car was me, Redacted Redacted and Redacted Redacted asked to use my pipe because he had some weed on him. The windows were down and Redacted started smoking. Redacted and Redacted then walked up and were standing outside just hanging out.

Coach Taylor walked up and asked what was going on. We were all getting out anyways going to class. I rolled up the windows and locked the doors and then Coach Taylor told us we had to wait for security. Coach Morales, Officer Gonzalez and Ann Marie all came over.

We emptied our pockets out in front of Ann Marie and I think the police officer was the one who had us do it. Once we finished emptying our pockets, we all sat down on this log that was back there. While waiting to empty my pockets, I opened my car for Coach Blevins so he could get the pipe in the back seat. Coach Blevins gave the pipe to the police officer. Everything that was found was sitting on the seat of the golf cart.

We were followed by security in the golf cart as all of us walked up to the office. Once in the office, we all sat down at a table by ourselves and were told to write out our statements. I was called into the police office by the officer. He told me I was under arrest for possession of a pipe and read me my rights. I then gave him my statement and he said he was going to not put me in handcuffs. I left his office and then went to my Vice Principal where I got suspended for three days.

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**Witness interview continued:**

I asked Redacted if I showed him a picture of the pipe found in his vehicle, if he would be able to identify it as his pipe. He replied, 'Yeah.' I showed him a picture of the pipe contained in the envelope Officer Gonzalez handed me on April 25, 2013. Redacted positively identified the pipe as his. Redacted was unable to identify the marijuana or the container it was in.

**Witness interview: (student) Redacted**

On April 30, 2013, at approximately 1245 hours, in a closed office at Mira Mesa High School, I interviewed and recorded Redacted. There was no one else present during the interview. I captured our conversation using a digital audio recorder. I transferred this audio to a compact disc that is attached to this report.

I asked Redacted to essentially tell me the chain of events regarding the incident on April 11, 2013. Redacted essentially told me the following:

I got dropped off around 7:15 or so and walked over to Redacted car parked by the metal storage containers. I got into the car with some of my other friends. They had already smoked the weed. Right as I walked up, they must have rolled down the windows. Not even two minutes later, Coach Taylor came walking over. I guess he saw other people walking over to the car, so he decided to see what was going on.

Coach Taylor made everyone get out of the car and then he called security. Once security and the police came, they made us empty our pockets and searched us. After we emptied our pockets, we all sat down on a log right next to the vehicle.

There was a pipe found in the vehicle and some weed was found on a person. I don't remember who asked, but someone asked if there was anything in the car. Redacted got up from the log and took his pipe out of his car and gave it to them.

In the office, they gave us a piece of paper and told us to write down what happened. Once we were done, they brought us over to the nurse's office and had us checked out. Redacted and Redacted were the only ones who went into the police office and talked with the officer, because they were the only ones who had something on them.

**Witness statement: (Student) Redacted |**

On April 30, 2013, at approximately 1305 hours, in a closed office at Mira Mesa High School, I interviewed and recorded Redacted. There was no one else present during the interview. I captured our conversation using a digital audio recorder. I transferred this audio to a compact disc that is attached to this report.

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**Witness interview continued:**

I asked **Redacted** to essentially tell me the chain of events regarding the incident on April 11, 2013. **Redacted** essentially told me the following:

I usually park my car back there. On that day I met up with those kids who were chilling in **Redacted** car. They were smoking out of a piece/pipe. The windows were up and **Redacted** was smoking weed out of **Redacted** pipe.

Coach Taylor came walking up and told us to stay in the car. Coach Taylor called Coach Morales and then we all got out of the car. The other security and the cop showed up and they searched all of us. They told us to empty out our pockets onto the golf cart and then we sat down on the log.

They found the pipe in the car and some weed on **Redacted**. We all walked up to the office and they had us sit down in the counseling office. I did talk with Officer Gonzalez for a little bit about making better choices. He never read me my rights or anything. I got suspended I think because I was in the car when everyone was smoking.

**Witness interview: (student) **Redacted****

On May 3, 2013, at approximately 1058 hours, in a closed office at Mira Mesa High School, I interviewed and recorded **Redacted**. There was no one else present during the interview. I captured our conversation using a digital audio recorder. I transferred this audio to a compact disc that is attached to this report.

I asked **Redacted** to essentially tell me the chain of events regarding the incident on April 11, 2013. **Redacted** essentially told me the following:

**Redacted** picked me up at home and we met **Redacted** and everyone else in the Carl's Jr. parking lot. We all smoked over there and I hopped into **Redacted** car to drive to school. We parked over by the storage bins and were just sitting in the car. I was sitting in the back seat when Coach Taylor came walking up and said it smells like weed and I am going to call the school officer.

When security showed up, they told us they were going to search us. They had us line up one by one and empty out our pockets onto the golf cart. After we finished, we each sat down on the log. Security found a lighter next to the log, a piece/pipe in the car and I had a 'nug' jar with 1.65 grams in it. A 'nug' jar is like a medicine bottle or a prescription jar. The one I had was purple.

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**Witness interview continued:**

We were all brought up to the office where we wrote down our statements, we then spoke with Officer Gonzalez and then went to the nurse to get checked out.

Because **Redacted** informed me he was arrested by Officer Gonzalez, I asked him a series of questions. See Q and R (response) below.

Q. What kind of questions did Officer Gonzalez ask you once he brought you into his office?

R. Things like are you high, how much weed was it, is it yours. I said yes to everything.

Q. Did Officer Gonzalez ever tell you, you were under arrest?

R. Yes.

Q. Did Officer Gonzalez read you your rights?

R. Yes.

Q. Did you agree to speak with him?

R. Yes.

Q. Was the purple plastic container, containing marijuana, yours?

R. Yes.

Q. How did you know there was 1.65 or 1.67 grams in it?

R. Officer Gonzalez scaled it out himself.

Q. When you were in the police office, you were telling me Officer Gonzalez weighed out the marijuana?

R. Yes. He pulled out a scale from his desk and weighed it.

Q. Were you the only student who spoke with Officer Gonzalez.

R. No, we all did.

Q. Were you the only student who got arrested?

R. I think so.

Q. What were you told you were arrested for?

R. Bringing drugs onto campus.

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**Witness interview continued:**

- Q. What did Officer Gonzalez tell you would happen to you?  
R. He said it wasn't really enough to go to jail for. He said he had to read me my rights because I had drugs on campus and he wouldn't take me to jail because my vice-principal would have to make the decision to suspend me.
- Q. Did you get suspended?  
R. Yes.
- Q. Did the officer physically search you?  
R. Yeah, he patted me down.
- Q. If I show you a picture of the container with the drugs, would you recognize it?  
R. Yeah, a friend gave it to me and I bought the weed a while ago.
- Q. So the picture I'm showing you with the purple container and the weed inside, is yours or what you had that day?  
R. Yes that is what I had.
- Q. Do you recognize the pipe?  
R. Yes, it's clear glass with black and blue design on it.

**Witness interview: (Vice Principal) Virginia Sturgeon**

On May 10, 2013, at approximately 0745 hours, in a closed office at Mira Mesa High School, I interviewed and recorded Virginia Sturgeon. There was no one else present during the interview. I captured our conversation using a digital audio recorder. I transferred this audio to a compact disc that is attached to this report.

I asked Virginia Sturgeon to essentially tell me the chain of events regarding the incident on April 11, 2013. Virginia Sturgeon essentially told me the following:

Security came to tell me they had found a group of boys in a car, parked behind a container in the dirt parking lot. The reason security went to look, is because that is a construction zone and off limits to students and they saw a whole group of boys walking back there behind the container towards the beginning of school. It was unusual so security followed them to see where they were going.

When they got there, they observed a car full of smoke. Some kids in the car were smoking marijuana and the others in the car were inhaling the marijuana. They brought

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**Witness interview continued:**

all of them into the counseling center where they were interviewed and searched by security and the police officer.

When I went over to see how things were going, I was talking with the police officer when he showed me a glass pipe and some marijuana in a plastic container. The marijuana looked like a lot to me, so I said, is it 25.8 grams, because I was trying to figure out how I was going to make my decision. The officer took out a scale from his desk and weighed the marijuana. It turned out to be only about 8 grams; it just appeared more because it was so big.

The officer put the scale away and kept all of the stuff and then identified Redacted confessed to bringing the marijuana and Redacted had confessed to bringing the pipe. My best recollection regarding the color of the container is purple or pink and it was a medicine type container.

After the officer was finished talking with the students, I interviewed them and phoned their parents. The parents also spoke with the officer and they were under the impression their kids were arrested. Redacted actually told me the officer told him his son was arrested and the case would be forwarded to the district attorney. He would hear from them in about six to eight weeks. Redacted left under the impression his son had been arrested for possession of the marijuana pipe. Redacted was also under the impression her son had been arrested for possession of marijuana, but for personal use not distribution.

I asked Sturgeon if I showed her a picture of the items confiscated on the day of the incident, if she would be able to recognize them. She replied, 'Oh yeah, that's the pipe for sure. In my mind I remember it being colored, so that was kind of funny for a boy to be carrying around. That looks like the large amount of marijuana I saw because it was a big bud.'

**Witness interview: (Vice Principal) Sara Leonard**

On May 10, 2013, at approximately 0800 hours, in a closed office at Mira Mesa High School, I interviewed and recorded Sara Leonard. There was no one else present during the interview. I captured our conversation using a digital audio recorder. I transferred this audio to a compact disc that is attached to this report.

I asked Sara Leonard to essentially tell me the chain of events regarding the incident on April 11, 2013. Sara Leonard essentially told me the following:

I was in my office when I was informed there were several students being brought up to the office for being under the influence and in possession of drugs and were going to be

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**Witness interview continued:**

needing suspensions and such. When I stepped out of my office and into the counseling center, I noticed all of the students were sitting down writing out statements.

I asked the other Vice Principal, Frannie Del Carmen, if we needed to search any of the students. Frannie told me it had already been done. As I was looking through the names of the students to see which ones were mine, Frannie started to walk them over to the nurse's office, one at a time to have them assessed whether or not they were under the influence.

Frannie and I started talking about who was under the influence and who was in possession of anything. Frannie informed me there were two students who had been placed under arrest, one for being in possession of marijuana and the other for being in possession of a pipe. Both students weren't in my alphabet, so I knew the other Vice Principal, Ms. Sturgeon would be handling them.

At one point, when I was in the police office, I noticed a vile of marijuana and made a comment that it looked like a lot and was wondering if it would have been enough for an expulsion or not. I wasn't very concerned about it, because I knew it was going to be handled by the other Vice Principal and Officer Gonzalez.

I asked Leonard if I showed her a picture of the items confiscated that day, if she would be able to identify them. She was only able to identify the marijuana and the container; she never actually saw the glass pipe. I asked Leonard if she remember the names of the students who had been caught in possession and she was only able to remember one of the names, **Redacted**

**Subject Officer Interview: Officer Anthony Gonzalez**

Anthony Gonzalez (Subject Officer) is a Campus Police Officer assigned to Mira Mesa High School.

In compliance with the Peace Officer's Bill of Rights (AB 301) I requested this interview with Officer Gonzalez well in advance, and informed him of his right to bring legal and/or POA representation. Officer Gonzalez agreed to meet on June 7, 2013.

On June 7, 2013, at 1139 hours, I interviewed Officer Anthony Gonzalez in the situation room at the EOC. Present during the interview was Officer Gonzalez, Attorney Susan Jerich (Officer Gonzalez's representative), Sergeant Troy Holliday and myself.

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**Subject officer interview continued:**

At the beginning of the interview, and prior to Officer Gonzalez being asked any questions pertaining to the incident in question, I advised Officer Gonzalez and his attorney of the following:

- There would not be more than two interrogators during the interview.
- The investigation was regarding an incident which occurred at Mira Mesa High School on April 11, 2013.
- The interview was being audio recorded.
- Officer Gonzalez was admonished that he is to answer all questions completely and truthfully. Providing misleading or false statements may result in disciplinary action, up to and including termination.

I asked Officer Gonzalez if he understood the information I had just read. Officer Gonzalez replied, "Yes." I then continued and read Officer Gonzalez his rights per Peace Officers Bill of Rights.

- Officer Gonzalez has the right to have a representative present during the interview.
- Officer Gonzalez has the right to audio record the interview, and will have access to the recording made by the department if further proceedings are contemplated.
- Officer Gonzalez will have access to a transcript copy of any notes, reports or complaints, except those deemed confidential.
- Officer Gonzalez would be released from any work time for this interview, and if the interview took place outside his normal work hours, he would be compensated for any extra time
- The interview would be for a reasonable amount of time based on the circumstances, and he would be allowed to attend to any of his personal needs

I asked Officer Gonzalez if he understood his rights. Officer Gonzalez said, "Yes". I continued and read Officer Gonzalez his Miranda rights as this investigation may potentially lead into criminal charges.

- You have the right to remain silent. Do you understand? "Yes"
- Anything you say may be used against you in court. Do you understand? "Yes"
- You have the right to the presence of an attorney before and during the questioning. Do you understand? "Yes"
- If you cannot afford an attorney, one will be appointed for you free of charge, before any questioning, if you want. Do you understand? "Yes"

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**Subject officer interview continued:**

1. Do you want to talk about what happened? "No"
2. Do you want to tell your side of the story? "No"
3. Do you want to go ahead and talk to me? "No"


I then admonished Officer Gonzalez this was an administrative investigation and he is hereby ordered to discuss the issue with us. I advised him if he refused to discuss the issue, it may be deemed insubordination and result in administrative discipline and that any statement he made under the threat of discipline could not be used against him in a later criminal hearing, but this is not criminal. I then ordered Officer Gonzalez to answer any and all questions asked of him in a truthful and accurate manner. If he failed to do so, it may result in disciplinary action, up to and including termination of his employment with the San Diego Unified School District Police Department. Officer Gonzalez said, 'I understand.'

For a detailed transcript of Gonzalez's interview, see attached document, transcribed by Confidential Secretary, Sue Nichols.

Attached to this report are the following documents:

1. A compact disc containing all interviews conducted during this investigation.
2. A transcribed copy of Officer Gonzalez's interview.

I have read the above report and investigation.

Employee Signature:  Date: 10/11/13

*(Note: All subject employees are to read and sign. If the employee refuses to sign, explain to them their signature only acknowledges that they have read your report, not that they agree or accept it. If the employee still refuses, not that on the signature line, date and initial.*

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 School Police Services Department



### MEMORANDUM

**TO:** Jeannie Steeg, Interim Chief of Human Resources, via  
 Anisha Dalal, Director, Classified Human Resources

**FROM:** Michael Marquez, Lieutenant via Ruben Littlejohn, Chief of Police

**DATE:** October 9, 2013

**SUBJECT:** Recommendation for Termination – Anthony Gonzalez ID# **Redacted**

On April 11, 2013, at approximately 0725 hours, Mira Mesa Coach John Taylor observed several students smoking marijuana in a vehicle parked on a dirt lot of the campus. Coach Taylor notified school security, along with Campus Police Officer Anthony Gonzalez (Hereon identified as Gonzalez).

A subsequent search by Gonzalez for drugs and/or paraphernalia revealed a purple plastic prescription drug bottle containing marijuana on one of the students, along with a multi-colored glass smoking pipe. Gonzalez took custody of the purple plastic container and the glass pipe.

On April 17, 2013, Sergeant Palkovic was reviewing the 'seven day weekly activity report' distributed to supervisors by the department's crime analyst when he noticed Gonzalez had cleared a call on April 11, 2013 with an 'A', indicating he had made an arrest. Sergeant Palkovic did not recall reviewing or approving this particular report, so he questioned Gonzalez about its status and whereabouts. His immediate supervisor, Sgt. Palkovic worked with Gonzalez since Dec. 2012 on improving the quality of his police reports. Specifically he counseled him on the content of the report, its accuracy, grammatical issues, and submitting it in a timely manner.

On April 18, 2013, Sergeant Palkovic sent Gonzalez an email inquiring about this particular report (SDUSD Police CAD Incident #2013040889). Gonzalez responded to Sergeant Palkovic via email, indicating the call should have been changed from 'someone in possession of marijuana' (11357 H&S), to 'someone under the influence of marijuana', (11550 H&S).

On April 19, 2013, Sergeant Palkovic visited Gonzalez's office at Mira Mesa High School to get clarification on this particular incident, and discuss several unrelated report issues. Gonzalez informed him there were no drugs or paraphernalia found on April 11, 2013, and he had made a mistake by clearing the call with an 'A' (indicating an arrest). He added that this call should have been cleared with a 'K' (indicating no crime, no arrest and therefore, no police report was required).

Sergeant Palkovic then met with two Mira Mesa High School administrators regarding this particular incident, and they provided him with conflicting information. During a subsequent investigation, Sergeant Palkovic found that Gonzalez was dishonest and; Sergeant Palkovic confirmed Gonzalez had recovered drugs and paraphernalia from said students on April 11, 2013.

Sergeant Palkovic conducted a records check with the San Diego Police Department's property room database under Gonzalez's name and identification number. This revealed Gonzalez had not conducted any narcotic impounds during the entire 2012-13 school year. This information directly conflicts with data recorded in the SDUSD Police Department's CAD system, along with witness statements detailed later in this report.

Throughout the course of the investigation into the aforementioned incident, Sergeant Palkovic interviewed witnesses who identified that drugs and paraphernalia were confiscated from said students. Sergeant Palkovic also established said drugs and paraphernalia were given to Gonzalez, and Gonzalez never impounded the items as mandated by department general orders.

As mentioned, Gonzalez told Sergeant Palkovic there were no drugs or paraphernalia confiscated, and this particular incident should have been cleared with a 'K'. Gonzalez was dishonest to Sergeant Palkovic, his direct supervisor.

When Gonzalez was notified by Sergeant Palkovic that he was the subject officer of an internal investigation regarding the aforementioned incident, he produced the said drugs and paraphernalia. Gonzalez had retained the items in a manila envelope in his desk located in his office at Mira Mesa High School.

Gonzalez's behavior in this instance stands in direct violation of the legal, administrative, and ethical standards for police officers. He betrayed the public trust.

Department General Orders outline specific directions for officers regarding the proper impounding of drugs/narcotics. Within this order, Officers, unless otherwise approved by a supervisor, must impound all drugs/narcotics into the SDPD property room by the end of their shift, and must follow SDPD impound procedures.

The drugs Gonzalez provided to Sergeant Palkovic on April 25, 2013, upon receiving his letter of investigation, were in fact the drugs he confiscated from said students on April 11, 2013. This was fourteen days after the incident. Gonzalez admitted he failed to properly impound the drugs during his compelled interview. He also confirmed he knew how to properly impound drugs/narcotics, but stated he did not properly handle it because of laziness.

Throughout the course of this investigation, Gonzalez lied to Sergeant Palkovic by stating there were never any drugs/paraphernalia, when in fact there were. Furthermore, the missing drugs/paraphernalia items were present in his office when he discussed the incident with Sergeant Palkovic, demonstrating his willingness to also be deceptive with his supervisor.

Throughout the course of this investigation, Gonzalez documented in an official police report that he had impounded “1.65 grams of marijuana” into the northeastern San Diego Police Department’s property room, when in fact he never impounded the said drugs at all. The drugs he handed to Sergeant Palkovic were the same drugs he referenced in the police report.

Officer Gonzalez is a sworn San Diego Unified School District Police Officer, a permanent classified employee. Gonzalez took the Law Enforcement Oath of Honor and confirmed his attendance and understanding through his signature on the department’s Oath of Honor poster. Gonzalez swore to uphold the doctrine, which includes Integrity and Character. Gonzalez was hired September 2, 2003, as a probationary patrol officer. He completed his district probation in September of 2004. On April 25, 2013, Gonzalez was placed on paid administrative leave pending this investigation.

Based upon the evidence provided, I find cause exists for termination because of the following:

The grounds for discipline as listed in the Employment Regulations for the Classified Services of the San Diego Unified School District, Article VI are:

- a. Unsatisfactory performance
- b. Failure to obey reasonable regulations or directives
- c. Willful and persistent violation of the Education Code, Classified Regulations, district policies, and/or procedures
- g. Dishonesty
- j. Falsification of application information or other documents submitted to the district.

During the course of this investigation, Officer Gonzalez violated the following department policies. The listed policy violations were “SUSTAINED.”

*As a member of the department, Officer Gonzalez was issued a copy of the SDUSD “General Orders.” A General Order is written and issued by the authority of the Chief of Police and is applicable to the department, division or unit. A General Order is the most authoritative directive in the department. All General Orders are in effect until altered or superseded by another order.*

- Failure to be truthful

SDUSD Police Departments General Order A-3.1 subsection AA, Accountability and Truthfulness, reads:



*“Members shall be accurate, complete and truthful in all matters. Members shall accept responsibility for their actions without attempting to conceal, divert or mitigate their true culpability.”*

- Code of conduct / ethics

SDUSD Police Departments General Order A-3.1 subsection Z Department Reports and Confidential Information, reads:

*“Members shall submit all necessary reports on time and in accordance with established Department procedures. Reports submitted by members shall be truthful and no member shall knowingly enter or cause to be entered any inaccurate, false or improper information.”*

- Failure to properly impound evidence

SDUSD Police Departments General Order A-9.5, subsection III, A.7, Impound and Disposal of Property, reads:

*“All narcotics will be impounded at SDPD area stations before the end of the workday without exception (SDPD form PD-235).”*

- Failure to properly impound evidence

SDUSD Police Departments General Order A-9.5 subsection III, A.9 Impound and Disposal of Property, reads:

*“Cans or bottles containing alcohol related to a case will be photographed and then disposed of.”*

- Failure to submit reports within five days

SDUSD Police Departments General Order B-4.1 subsection E, 5, Reports, reads:

*“All other reports, except lost property, petty thefts less than \$50.00 and vandalism less than \$100.00, shall be submitted within five (5) working days.”*

A police officer is legally and morally bound to a higher standard of conduct than the average citizen. Police officers must comport themselves in accordance with the laws that they are sworn to enforce and behave in a manner that brings honor and respect, rather than public distrust of the law enforcement profession. Police officers are not drafted into public service; rather they compete for their positions. In accepting employment by the department, they implicitly agree that they will not engage in conduct which calls into question their integrity, honesty and moral turpitude.

Historically, peace officers have been held to a higher standard than other public employees, in part, because they alone are the ‘guardians of peace and security of the community,’ and a vital

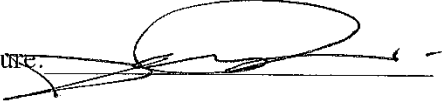
part of the entire judicial system designed for the purpose of maintaining law and order. Gonzalez has tarnished his character by willingly, knowingly and deceptively, lying to his supervisor over a relatively minor incident.

Gonzalez's role as a Campus Police Officer has a direct daily impact on children ranging from pre-school to 12th-grade. These are same children we as a society are trying to teach and instill the core values of honesty, integrity, and moral turpitude. In the Law Enforcement profession, we learn early in the academy that dishonesty is not (and will never be) acceptable. Lying is so severe that industry standard dictates police department's rarely do not hesitate for immediate and unequivocal termination. Gonzalez's actions in the aforementioned incident are exactly that, unacceptable behavior of a 'Guardian of Peace,' and must result in termination.

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I have read the above report and investigation.

*I Anthony Gonzalez have a copy of this report but did not read it.*  
10/14/13

Employee Signature: 

Date: \_\_\_\_\_

*(Note: All subject employees are to read and sign. If the employee refuses to sign, explain to them their signature only acknowledges that they have read your report, not that they agree or accept it. If the employee still refuses, not that on the signature line, date and initial.*

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**SAN DIEGO UNIFIED SCHOOL DISTRICT  
School Police Services  
Supervisor's Investigation**

**Date of Incident:** June 7, 2013  
**Time of Incident:** 1139 Hours  
**Location of Incident:** SDUSD Emergency Operations Center  
**Subject:** Supervisor's Investigative Report – Interview Anthony Gonzalez

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**CONFIDENTIAL: THIS REPORT IS FOR THE EXCLUSIVE USE OF THE  
SUPERINTENDENT, CHIEF OF POLICE AND / OR  
DISTRICT GENERAL COUNSEL.**

This a taped interview with Officer Anthony Gonzalez. Present are Sergeant Dan Palkovic, Sergeant Troy Holliday, Officer Anthony Gonzalez, and Attorney Susan Jerich

P = Palkovic                  H= Holliday                  G = Gonzalez                  J = Jerich

P: The date of this interview is June 7, 2013. The location of this interview is the Situation Room of the San Diego Unified School District Police Department. It is currently 1139 hours. Present in the room is myself, Sergeant Dan Palkovic, Sergeant Troy Holliday, Officer Anthony Gonzalez, and his Attorney, Susan Jerich, correct?

J: Correct.

P: My name is Sergeant Dan Palkovic. I will be conducting the interview. During this interview, I will be assisted by Sergeant Troy Holliday. This interview is in reference to an internal affairs investigation regarding an incident that you, Officer Gonzalez, were involved in on April 11, 2013 at Mira Mesa High School. The interview will focus on several General Order violations but be limited to only General Orders A-9.5, subsection 3.A.7 Impound and Disposal of Drugs and Narcotics, General Order A-9.5, subsection 3.A.9 Impound and Disposal of Cans or Bottles Containing Alcohol, General Order B-4.1, subsection E.5 Submitting Reports in a Timely Manner. The interview may reveal other general order violations as well. This interview is being tape recorded and you are admonished that you are to answer all questions asked of you completely. And that all of your answers are to be truthful knowing making false or misleading statements during this interview will be considered a separate offense that could

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P: result in discipline, up to and including, termination. Do you understand this admonishment?

G: Yes.

P: At this time, I will advise you of your Public Safety Officer's Bill of Rights Act. You have the right to have a representative of your choice present during this interview and you have chosen Mrs. Susan Jarech as your attorney representative. You have the right to make your own tape recording of this interview. You will have access to the department's tape recording of your interview if further proceedings are contemplated prior to any further interrogation at a subsequent time. After the interview you are entitled to a transcribed copy of any notes or to any reports or complaints except those that are deemed confidential. You will be questioned by no more than two investigators at one time during the course of this interview. If this interview, if the interrogation is occurring during your time off duty, you will be compensated in accordance with regular department procedures. You will not be released from employment for any time missed. This interview session will be for a reasonable amount of time based on all the circumstances and you will be allowed to attend to your own physical personal necessities. Do you understand these rights?

G: Yes.

P: Because there is a potential for criminal charges, I am now going to read you your Constitutional Rights, your Miranda advisement. You have the right to remain silent. Do you understand?

G: Yes.

P: Anything you say may be used against you in court. Do you understand?

G: Yes.

P: You have the right to the presence of an attorney before and during questioning. Do you understand?

G: Yes.

P: If you cannot find an attorney, one will be appointed for you free of charge. Do you understand?

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G: Yes.

P: Do you want to talk about what happened?

G: No.

P: Do you want to tell your side of the story?

G: No.

P: Do you want to go ahead and talk to me?

G: No.

P: I'm going to read you the Liberger admonishment. While you have the right to remain silent with regard to any criminal investigation, you do not have the right to remain silent to refuse answers, to answer my administrative questions. This is an administrative investigation. I therefore now order you to discuss this matter with me. If you refuse to discuss this matter, your silence can be deemed insubordination and will result in administrative discipline, up to and including, termination. Any statement you make under compulsion of a threat of such discipline cannot be used against you in a later criminal proceeding. Officer Anthony Gonzalez, I will now order you to answer all questions asked of you in a truthful and accurate manner. Failure to do so may be deemed insubordination and result in administrative discipline, up to and including, termination of your employment with the San Diego Unified School District Police Department. Do you understand?

G: I understand.

P: Ok. Now that we have got all that out of the way.

J: Sergeant, before you begin, Sergeant, if I may, I just want to clarify, um, the scope of this particular interview. I know that oftentimes, um, one interview can lead to subsequent interviews depending on what arises. But my understanding is from what you said here today is the scope of the questioning concerns an incident April 11, 2013.

P: Correct.

J: Is that correct? And is that the sole focus of today's interview?

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- P: Um, with an additional questioning regarding, um since I've been his supervisor as of January 1.
- J: So that's ...
- P: So that's just in reference to the submitting of reports.
- J: Ok, um, and the reason I ask is that you and I had an email exchange regarding this. Um, first of all in this there's an April 25, 2013 Notice of Complaint Investigation addressed to Officer Gonzalez which talks about um, your conduct regarding a recent drug and narcotic investigation and it references April 11, 2013. Um, it asks that Officer Gonzalez review any reports or other documents in connection with that incident prior to this interview. And I'll just let you know that he did not have access nor did I to any of those documents...
- P: Ok.
- J: ... anything. So it might be necessary depending on what is referenced by you what is relied upon by you shown to him for us to take a break or breaks so that ...
- P: Absolutely.
- J: ... we can review them...
- P: Absolutely.
- J: ...I want to be clear that, you know I'm not trying to be...
- P: And I will, I will give you a chance to review that today.
- J: ...ok. I appreciate that. And if there are any other um, documents that are going um, to impact your questioning of the January, the, the incident numbers ...
- P: Correct.
- J: ... um ...
- P: Absolutely.

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- J: ... I'd like a chance to look at those and discuss them before, obviously ...
- P: Absolutely.
- J: ... I would feel comfortable having him answer your questions.
- P: Not a problem.
- J: Ok, and that's about it as I can see.
- P: Ok.
- J: (inaudible) starting. Thank you.
- P: You're welcome. Officer Gonzalez, do you recall the incident April 11, 2013? This one in particular we are talking about? Where it was in the dirt parking lot at Mira Mesa High School?
- G: Yes.
- P: Ok. Can you tell us about it please? Who was there, what was found, how things unfolded?
- G: It was in the morning. School was starting. A teacher, I believe it was a PE teacher, who called the front office and said that he noticed, I don't know, some male J's, or some students behind a storage container. He went over there, he detained them, he called um, security, and security and I, we went over there on the golf cart and there was, I believe six males, um standing outside of a vehicle. Um, the PE coach that said he saw all these guys, all the students walking over that way so he walked over that way and as he's got, as he was getting closer to the container he smelled the odor of marijuana so he detained everybody and that's when he called us. Um, and that's when we showed up. We, ah, we called for an admin to be present with us. Um, no admin was available at the time because it was morning, um, arrival for students, and stuff like that, they were unavailable, so with myself and the two security, the two security guards, we ah, I started doing just outside pat downs and stuff like that, detained them and all that and so forth. Um, I first, before I patted everybody down, you know, made the, made the comment, 'Hey, does anybody, does anybody have anything they shouldn't have on them.' Nobody answered up. So, did pat downs on each one of them. Um, noticed one kid was fidgeting. I kinda kept an eye on him while I was doing pat downs. The other two

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G: security guards were just looking at the individuals. They were keeping an eye on them while I was doing pat downs and then when I got to the last individual as he came patting down, um, not sure which security guard had found a, I believe it was a purple container that was behind, they were sitting on the curb, and that's when they found it, a purple container, which ah, I don't know if it was the kid's or not so. The security guard gave it to me. We grabbed everybody, put them on golf carts and, and walked over to the office. Um, standard, ah, standard routine is kids get their, from the school side, the admin gives the ah, students witness'/victim's declaration where they their side of the story. Um, and then one at a time then I interview um, students. At that point in time when it came to the one individual who the marijuana was found in his area was, I read him his rights, his Miranda Rights. I gave him an opportunity to have his parent there and/or um, a vice principal present with him. He understood his rights. He told me he would be willing to talk to me. I asked him if it was his. He hesitated and ah, eventually he admitted it was his.

P: You had mentioned the purple container. Was there anything in the purple container?

G: Um after I opened it up, ya there was.

P: What was inside the purple container?

G: Green nuggets, I mean, to me, marijuana, it had the odor of marijuana.

P: Was there anything else found?

G: I believe there was a pipe found in a vehicle.

P: And what would happen with that pipe?

G: That pipe was subsequently put in with the marijuana in a bag, in an envelope.

P: And who took custody of all of that?

G: I did.

P: Ok. Were those particular items ever impounded, the marijuana, the purple container and the glass pipe?

G: No.

P: And you had mentioned that you had Mirandized one of the students. Was he arrested?

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- G: He was arrested and released back to the school.
- P: Was there anybody else arrested in this incident?
- G: No.
- P: Do you remember the student's name that you arrested?
- G: No.
- P: Did you submit an arrest report for that incident?
- G: No, it was, I was working on it.
- P: Can you explain to me what, what you mean by you were working on it.
- G: I was still investigating the crime, the incident. Cuz he, at first he was not outright, forth right with me and then his story was not collaborated with the other five juveniles with the admin.
- P: But you, you, there was enough there for you to make an arrest?
- G: Well, with his own admission afterwards, yes.
- P: Ok. Can you tell us the department's policies regarding the timeline on which reports are to be submitted?
- G: That I don't know. I can't tell you verbatim.
- P: I'm going to give you um, several letters, and these are typical letters that we clear calls with. An 'A', an 'O', an 'R', and a 'K'. Do those sound familiar to the, to you?
- G: Um, hmm.
- P: Those are our dispositions over the radio and how we clear calls. Can you explain to me what each of those, those letters mean an 'A', an 'O' and a 'R' and a 'K' means?
- G: An 'A' is for an arrest, a 'K' is for clear the call, um, for various reasons, um 'O' is for an open case, still under the CAD per se would still be under investigation and an 'R' would be just report only.

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- P: Ok, and I just wanted to clarify. You said a 'K' would be clear a call? How would you clear that call if you used a 'K'?
- G: Usually, depending on the case's stance, either be no arrest, or admin handled, or not enough evidence, it all, it varies. It depends.
- P: I understand.
- G: Due to the crimes, whatever is under investigation.
- P: Ok. So, typically a 'K' would mean there is no report generated.
- G: Not necessarily true.
- J: Can you explain that, Tony?
- G: Most 'K's there's always reports behind it via when admin asks, 'What did you do?', there's some type of documentation of what police officers um, do and report statuses. If it goes to a school hearing, they want to know what officers have done. If there was an arrest or there was any kind of report documentation. That's what usually (inaudible) the 'K' part.
- P: So that you're referring to the, and I'm just trying to clarify here, you're referring to the administrative side of the school district? Like the school itself, the administrators there, the principals, the vice principals.
- G: Well, depending on who is asking or any kind of, from the district level, to the VP level. It all depends.
- P: So I would like to know what a 'K' means for our police department over the air. What does that refer to?
- G: Mean, 'K' meaning no prosecution, no nothing.
- P: So no report taken at all because you are not going to submit anything if you are going to clear a report with a 'K' is that correct?
- G: Sometimes, yes. Yes and no. It all depends on the call itself. Some people want oh, a 153 on a 'K' for document purposes, it all depends.

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- P: And just so you know Ms. Jerich, a 153 would be considered a narrative of an incident and we would clear that with an 'R' because it would be considered a report.
- J: Ok.
- P: So, I just wanted to clarify that with our department a 'K' is, is meant as no report taken.
- J: Ok.
- P: Can you, Officer Gonzalez, can you please tell us how you properly impound drugs into the San Diego Police Department since they are the caretakers of our um, narcotics?
- G: Ah, properly, ah, there in, you go to one of the substations to closest ah, the area you work in, or, and or anywhere that's deemed a San Diego PD property room. Paper work's filled out, documentation, name, ah, weight of the narcotics, and then explain the narcotics, gets in a sealed envelope, with property tape on it and gets filed in a secured red or blue mail box in one of the property rooms of the police department.
- P: In the new procedures that we've gone to within the last year and a half, require us to do what with the um, property tag per se, the number to it...
- G: Attach it to it, report or any kind of documentation is fine.
- P: ...And is that, that process, is that where we generate a, um, kind of like a, sticky piece of, like a, I'm going blank here on the name...
- H: A label?
- P: ... a label? Where we generate a label for the property for the property tag and we attach that to the property?
- G: The new labels, yeah, from San Diego PD. Yeah.
- P: Electronic label?
- G: Electronic labels.
- P: Ok. Can you tell us how you are to properly to dispose of alcohol that you have obtained in an investigation?

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- G: Ah, take pictures of it and dispose of it, um, via I don't know, bathroom or sink, or something where it's not can be taken or used.
- P: Ok. Do you remember the conversation that you and I had regarding an email about this incident when I had sent you an email and, in fact, I will let you look at the emails. When I sent you an email referencing um, Herman Davis, our Crime Analyst, and I was looking into to this report because I hadn't seen it come across my desk yet. Do you remember?
- J: I'll just note for the record, Sergeant ...
- P: That's fine.
- J: ... you handed us, um, looks like one, two, three, four emails. Four emails, four pages of an email beginning with one from Anthony Gonzalez to Sergeant Palkovic, dated Thursday, April 18<sup>th</sup>. I don't know if this is the same chain. Is this the same chain?
- P: Yes, it's the same chain. So the last page will probably read what everything else does.
- J: Ok. So we should turn to the last page. Is that right?
- P: Well, that would help if you wanted to go that route.
- J: So everything goes up. Ok. Looks like it. Ok. Turn to the last page. We'll just take a minute if you don't mind.
- P: No, not a problem.
- J: Have you seen this before?
- G: The email chain?
- J: So it looks like it starts here.
- G: Got it. Ok.
- J: Ok. Good?
- G: Mm, hmm.

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- J: Ok, thank you. We've had a chance to ...
- G: Mm, hmm.
- J: ... review that. May we keep this in front of us or do you need it?
- P: Sure. Sure. So, Officer Gonzalez, do you remember that conversation that took place over the email?
- G: This email chain, yes.
- P: Ok. What was, do you remember the, how you cleared this particular call originally?
- G: With an 'A'.
- P: With an 'A'. Ok. And in that email, I had asked you where the report was because I hadn't seen it across my desk and you had indicated to me that it should not have been an 'A' and it should have been changed and there was a little confusion there regarding the 1150 and the 11550, which 1150 is a traffic stop and 11550 would be considered an under the influence type call. Is that correct in there? I just want to make sure you can read all of that. And that's why I asked you an 11550. I didn't understand a traffic stop from an 'A', from an arrest.
- G: Cuz the initial, they were at, they were initially at a vehicle. Beforehand it was just 11550 because there was no evidence at the time.
- P: Ok.
- J: And I'm sorry, I might be confused, but in this email chain I see the reference originally to an 'A' which as I understand it means there was an arrest made.
- P: Correct.
- J: I don't see anything in this email at least that Officer Gonzalez wrote about it not being an 'A' but I see the difference it being changed from, looks like possession of marijuana, 11357, to possession...
- P: Was the, I'm sorry, then that might have been, oh there it is right there.

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- J: 11...
- P: It, it says right here. It should have been changed to an 1150.
- J: 11, is it 11550?
- P: It was, we clarified up here further. It was 11550.
- J: Ok. It was an arrest but for a different charge? Is that what I understand?
- P: It would just change the call.
- J: Ok.
- P: From a marijuana, possession of marijuana to under the influence.
- J: Right. Ok.
- G: And the reason why is because initially is because the teacher said they were smoking dope so that's the original call. Then when I got there it was that because there was no evidence at the time.
- P: Ok, so on April 19<sup>th</sup>, I came out to your school, and met with you in your office regarding some other reports that I was working on you with. And I had asked you in your office to clarify the email chain and the incident with me because I was still confused. I didn't understand what was going, what was taking place. And when we met, in your office, you had informed me that nothing was found in the dirt parking lot and the call was a mistake and it should have been cleared with a 'K'. Is that true?
- G: I, I don't remember saying that but...
- P: Could you tell me what you remember about that conversation in your office?
- G: I'm trying to remember. I'm trying to remember. The call was to the part where there was the found marijuana after the fact so it should have been, it started as 11357, turned into an 1150, it should been back to 11357.
- P: But, the, the conversation that you and I had in your office regarding this incident, when you had told me that you had walked up on a vehicle, it smelled highly of marijuana ...

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G: Right.

P: ... as if they just got done smoking the marijuana, and when I had asked you well was anything found, you said no. And I said you mean there was no marijuana, there was no pipe, there was nothing found, and you said correct.

G: And at that point, when I walked up there, no.

P: I'm sorry?

G: There was nothing found there at the point when I walked up there no.

P: But in reference what we were discussing was in reference to this entire call.

G: Right.

P: I had asked you about a report that I have not seen and this was on the 19<sup>th</sup>. So this was 8 days after the incident when we spoke about this and you had referred to me in your office that there was no drugs are found, there was no pipe found and the call was mistakenly cleared as an 'A' and it should have been cleared with a 'K'. That was the conversation you and I had. Do you remember that?

G: I do remember the conversation, yes.

P: Ok, so is, what I'm saying is that correct?

G: To the best of my knowledge yes.

P: Ok. If you, so I guess the next question would be, is if you made an arrest and you confiscated some drugs and paraphernalia, then in your office that day, why would you tell me that there were no drugs or paraphernalia found and the call needed to be cleared with a 'K'?

G: Because I knew that kid was on the verge of not graduating so I was trying to help that kid out because he's a senior and he was elected to go to, he was trying to go to diversion program and that's what I was waiting for the mom to come back to me about doing diversion.

P: And just so, for the record, I don't recall that being addressed to me.

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G: Yeah.

P: So you didn't bring that up to me then?

G: No.

P: Ok. Going down the road a little further, on April 25<sup>th</sup>, Sergeant Holliday and myself arrived at your school and met you when you came to work. We handed you a letter of intent that you were being investigated. We asked, we, we, we advised you that had the right to have representative present, you phoned the representative of your choice, I want to say it was Jesus Montana ...

G: Mm, hmm.

P: ... and we had asked you if we could search through your desk and you gave us consent to search through your desk.

G: Yeah.

P: As I was searching through your desk, you had made a statement to me. You asked me, 'What are you looking for?' Is that correct?

G: Yes.

P: And I told you that we were looking for something that shouldn't be here. Is that correct?

G: I believe so.

P: As I continued searching through your desk, you reached to the left of your desk and you grabbed a manila envelope and you handed it to me and you said, 'I think this is what you are looking for.' Is that correct?

G: I didn't say, 'I think', I said, 'This is what you are looking for.'

P: Ok. So, you said, 'This is what you are looking for.'

G: Mm, hmm.

P: Can you recall the contents of that envelope, please?

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G: Ah, should have been a piece of paper in there, ah, a pipe, and I believe, the container of marijuana.

P: Are those items that you handed me on that day the items that you obtained from April 11<sup>th</sup>?

G: Yes.

P: Ok. On April 19<sup>th</sup>, when I came in to your office to talk to you about these reports, was that envelope sitting in the same place it was when I was talking to you in that, in your office that day?

G: No.

P: Where was it?

G: In the bottom drawer.

P: Ok. So ...

G: So I took it out.

P: ... you took it out.

G: Mm, hmm. Knowing that ...

P: ... (inaudible)

G: ... knowing that I had to impound it. I take it out knowing that I have to impound it.

P: As a, as a way to remind you?

G: Reminder. Yes.

P: Ok. So on the 19<sup>th</sup> when I came in there, 6 days later you still had not impounded it and that was the envelope that you handed me. Correct?

G: Correct.

P: Ok.

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J: May I ask just a ...

P: Yes, ma'am.

J: ... question here. Um, Officer Gonzalez, was there a reason, I mean, knowing that the department policy, I think, is probably a reason, impounding evidence like that within a reasonable time period, maybe it's two days after arrest, um, is there any reason you can give us today why you didn't impound that evidence in a more, shall we say, timely fashion?

G: Just, you know, lost time, I forgot, um, you know I work at a high school, the door's always open so the kids come in and out, parents come in and out, so I tend to forget ah, you know impound stuff (inaudible) matter. Just because of the foot traffic that I encounter with the school and at that time um, there was worked me, I don't know if it was on the 19<sup>th</sup> or the 20<sup>th</sup>, whatever, um, of a, of the admin coming and telling me that ah, there was a kid that was sexually assaulting um, female students which then, that's when I directed to my sergeant about this other case. That was more important, an important matter, that was more touchy. A touchy subject when a kid is (inaudible) so that's when I directed everything to, to that nature of that call.

J: And you didn't receive your supervisor's permission, I assume.

G: No, I neglected to tell my supervisor about the impound.

J: Ok. So is it fair to say you got busy with this other matter involving the sexual assault and put this matter aside?

G: Yes.

J: Ok, that's all I had.

P: Um, just to clarify for the record, in case Officer Gonzalez is not aware, Department policy says that all drugs and narcotics will be impounded the same day, prior to end of shift. And if I understood correctly, what you were talking with your attorney in regards to was on the day that you obtained the drugs, you got side tracked, and busy and things of that nature.

G: Mm, hmm.

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P: But on the 19<sup>th</sup> when I showed up, you had pulled it out as a reminder ...

G: To impound it.

P ... and six days later you still had not impounded it.

G: Correct.

P: Ok. What I would like show you now, um, and feel free to look at it, is the, is the report that was never submitted. And this is of the incident on that day and the incident number on that report um, should end with the last four of 0889.

J: Does this look familiar?

G: Mm, hmm. It's the stuff that's on the computer.

J: Do you mind if we went off tape and we could ...

P: Absolutely. We can take a break.

J: ... yeah ...

P: Sure. No problem.

J: (Inaudible) We were willing to take a look at this.

Tape ends.

J: So just note we're, we're back on record after a brief break to review um, report number, well ending in 0889.

P: Ok. Officer Gonzalez, do you remember this report, recall this report?

G: Yes I do remem, remember the ...

P: Ok, did you write this report?

G: I did.

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P: Ok. Is that your signature on the blue card on the very front of this report?

G: That printed signature, yes, that's my card, name.

P: Ok. Um, a few questions regarding this particular report. It indicates on the very, very bottom of that report in the middle of the page, I'm looking at it upside down, um, a report date of 4/11/2013 at 1030 hours, is that it? 1030 hours?

J: Is that it right there?

P: 1030 hours?

G: Yes.

P: Is, in that, in our terminology is the day that this report was written, correct?

J: Do you understand the question?

G: No. It, this is the initial date of the report writing, yes. That's the day and the time the call came out, yes. Right here.

J: So there's a box on this, on the first page this report at the bottom ...

P: Correct.

J: ... saying report date. And I think the question is, what do you understand the department's policy to be as to what date gets included in that box?

P: That would be, yes.

J: Is that ...

P: Thank you.

G: That's the date of the call.

J: The date, you're understanding is ...

G: Yes.

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J: The date the call ...

G: The date that this ...

J: Ok.

G: ... for this incident. This is the date that it occurred on.

P: And then, if you look at the top of this paper, it says arrest date in a little box, and this is the actual date of arrest, and then once again, it gives you an offense date and offense time. Correct?

G: Yes.

P: About maybe middle of the page on the right hand side. You've been writing reports with our police department for a long time. Correct?

G: Yes.

P: And you mean to tell me that the, the very bottom line there next to your name, your ID # and all these years you've been referencing that particular line as a line of the date of incident not the date that you wrote that report?

G: That's the date of the incident of the report, yes.

J: So maybe you're not, are you understanding the question, Officer Gonzalez? Because I think the question is um ...

P: What day ...

J: ... as a ...

P: ... what day ...

J: ... yeah ...

P: ... what day, what day did you write this report?

G: I started it on the 4/11.

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J: Ok.

P: Ok.

G: That's the day of the incident of the report. That's the date of the incident.

P: You started it. It just never was turned in.

G: Correct.

P: Ok. And if you could flip to, go to the um, I want to say it's the second page of the narrative, yes ...

J: This one here?

P: Under evidence ...

G: Ok.

P: You had clearly stated a little while ago that the drugs were never impounded into the police station. Correct?

G: Correct.

P: Under evidence there, can you read what that says for me please?

G: 1.65 grams of marijuana was impounded at the San Diego Police Station Northeastern Station Property Room.

P: So can you explain to me why that is different why you verbally said a few minutes ago?

G: Um, because I have a electronic scanner or ah, electronic what do you call those things, scale, weighed it, and then that's where it was gonna go. That's where I, where I was gonna impound it, at the Northeastern Sub.

P: But, you had completed this report and this report was ready for it to be submitted and it clearly states in there the drugs were impounded. Correct?

G: It's, the report does, yeah. The property never did get impounded.

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P: Ok.

J: Were you going to, when you wrote this report, had you already impounded the marijuana?

G: No.

J: Ok. Was it your intention to impound the marijuana and then submit this report?

G: Yes.

J: Ok. Did you submit this report to your supervisor prior to impounding the marijuana?

G: No.

J: Has the marijuana subsequently been impounded?

G: No.

J: Where is it now?

G: It's in the custody of School Police.

J: Ok.

P: It's, it's been impounded.

G: Ok.

P: Just to let you, just to let you know.

J: Ok. Thank you.

P: It finally has been impounded.

J: I understand.

P: Can you recall when you finished this report?

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G: (Inaudible) Maybe three days later.

J: Three days later than ...

G: The date.

J: ... the 11<sup>th</sup>?

G: The 11<sup>th</sup>.

J: Ok.

G: If there was a weekend in there it would probably be the Friday or that Monday.

P: Ok. Um, after we had, Sergeant Holliday and myself had, had gave you the letter of intent that you were under investigation, and we obtained some items in your office, and left for a period of time, this is roughly around 6:50 in the morning, and we returned around 11 o'clock the same day. Is that correct? Do you remember that?

G: I don't think we left. Oh, you guys left.

P: No, you, you didn't leave.

G: Right.

P: We left.

G: Correct.

P: And when we returned that was when we had the Lieutenant with us and we served you a piece of paper saying you are on paid administrative leave as of now.

G: Yes.

P: Ok. In that window between and 6:50 in the morning and 11 o'clock in the morning, did you write this report?

G: No.

P: Did you print this report?

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G: No.

P: Ok. Um, I've given the IT Department of our district your ID number, and we took your computer tower out of your office. And they gave me a report back that stated there was three items printed on the printed machine in the Counseling Center between that time frame, 0650 and 11 o'clock.

G: Why, I didn't, didn't touch anything.

P: You are telling me right now that this report was not one of those items printed?

G: Correct.

P: Ok.

G: I don't have any kind of documentation of this case.

P: Did you ever, and I'm gonna go back a question I asked you earlier when I asked you was there anyone else arrested in this incident and you said no.

G: No.

P: Did you, were you ever able to link the last pipe that was found ...

G: No.

P: ... to another individual? Ok. If I show you a picture of the evidence, would you be able to recognize it?

G: Yeah.

P: This is the evidence just so the, we can document it. This is the evidence and you can see the manila folder. That was the manila folder that was handed to me on um, April 25th in the office. The purple container containing what appears to be marijuana, and then a multi-colored glass pipe. And the piece of paper that those items are sitting on is a student profile for **Redacted**, I think it is.

G: Yeah. **Redacted**.

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P: I'm looking at Redacted

G: Redacted

J: Right.

P: And in the upper right hand corner are the numbers 0889.

J: Correct.

P: So these are the items that you handed me on that day.

G: Yes.

P: Ok.

G: Everything was in this envelope.

P: Thank you. I understand that Mira Mesa is one of the busier schools in the district and that being a campus officer you are a very busy individual. A lot of things go on. I'm not looking for a specific number but could you tell me off of the top of your head, because we have nothing here to reference, how many drug investigations you think you've done this school year.

G: This year? I don't even know. I can't tell you.

P: Would it be safe to say numerous?

G: Oh, I would say, yeah I guess you would say numerous.

J: Can you give us, is it more than 10?

G: I would ...

J: More than 100?

G: Probably more 10 I would say just for this school year probably.

P: Ok.

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J: Between 10 and 100?

G: Probably around there, yeah.

J: Ok.

G: I don't, there's not a lot. I don't do a lot of marijuana cases.

J: Because numerous is more than 1 ...

P: Right, correct.

J: ... but it could mean ...

P: Correct.

J: ...it could mean...

P: And I'm not talking ...

J: ... (inaudible)

P: ... specifically marijuana. Any drug related type investigation whatsoever.

G: Probably 10 and above for this school year I would say for investigations. Give or take.

P: Ok. And have you impounded out of any of those investigations in this school year, have you impounded any narcotics whatsoever into the Police Department?

G: Mm, hmm. Yes, I have.

P: And could you give me a rough number of what that might be, an idea of just ...

G: 10 or more. Whatever I have.

P: So is it safe to say that ...

G: More than one I guess, I don't know. I mean, every, it, it should be every impound that I have with narcotics gets impounded.

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P: ... correct.

G: Depends, if it's a usable amount.

P: Correct. Ok. Um, which leads into an incident on 4/11 as well at Challenger Middle School. Later in the day, same day.

G: Right.

P: You were dispatched to a call at Challenger Middle School regarding ah, a student that was ah ...

G: In possession of ah ...

P: ... it said, and I'll, I'll let you read this, I just want to read it so I don't read it upside down, um, and this is, this is the CAD report from our um, computer system, and this is, dictates the call, it was generated, who called, who the caller was, and who the officer was it was given to and this is the information that is given to the officer. Um, suspect was driving a light blue, a light four door blue vehicle, unknown plates, suspect pulled over, got out of the vehicle and gave a plastic baggie with one marijuana joint inside and said to victim, 'Take this for me.' Do you recall this incident?

G: Yes, I do.

P: Ok. And just, you can review this before I ask any more questions.

J: And the, you've handed me a CAD report um, Call #0937. Is that the same as the police incident number (inaudible)?

P: Yes, yes.

G: Ok.

J: Ok.

G: Junior High.

J: One?

G: Yeah.

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G: The actual call came in 11:58. I got it at 1:30

P: And this basically just lets the officer know what he is going to.

J: Mm, hmm.

P: What he is going to go into. And um, the RP, the reporting party, I want to say is, Vice Principal Bowers. Did you meet with Vice Principal Bowers on that day?

G: Yes.

P: And did he hand you anything in reference to this incident?

G: A little baggie with what looked to be like a small roach of some sort.

P: Ok.

G: It wasn't a marijuana joint. It was very minute.

P: So a roach, it was, in your training and experience was not marijuana.

G: It could have been a marijuana cigarette or just a regular cigarette. It was just very minute.

P: And typically when um, an administrator hands you something that they are going to give a suspension for, what is the protocol?

G: To impound any kind of evidence that I receive from any kind of admin but also admin don't, some admin keep their stuff. Not narcotics though, other stuff.

P: But in this particular case ...

G: This particular case ...

P: ... Mr. Bowers gave it to you.

G: ... gave me a small baggie.

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P: And when you impound items, it's safe to say that there should be a report that follows that indicating that you impounded that item. Correct?

G: Correct.

P: Ok. Um, Mr. Bowers, I just spoke with him this morning on the phone as a matter of fact, and he remembered this incident, and he told me that you had made comment that you were going to flush this down the toilet. Is that true?

G: Yes, it was true.

P: Did you flush the item down the toilet?

G: I did. In the bathroom right there at Challenger Middle School.

P: Ok.

J: Can you tell us why you did that, Officer Gonzalez?

G: Because there was, it was a school admin thing, it wasn't going any further, it was just there for, he just wanted it, a number for an admin, it was an admin procedure. It wasn't, it wasn't enough, usable amount to be arrestable offense. And I believe I did note that on the CAD when I did tell, I did tell whoever that it was ...

P: You're looking at the CAD report. That's all I have.

G: Well, I remember telling Dispatch on the phone it was not a usable amount, and I, I believe cleared it with a 'K'

P: I will be more, you did clear it with a 'K', and I will be more than happy to pull that particular tape. Can you, is April 11<sup>th</sup>, can you give me the time please?

G: It's 14, this was printed on 24<sup>th</sup>.

J: 7:26 am., April 24. And when you say, he wanted an admin are you talking about the vice principal?

G: Yes. Yeah, he just wanted, they just wanted a number ...

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P: Right, but ...

G: ... because it was a suspension.

P: ... the incident, the incident was on April 11<sup>th</sup>, regardless of when this was printed or not...

G: Oh, ok.

P: ... you cleared it that day.

G: With a 'K'.

P: So I'm gonna do some research and see if you did say on tape that you flushed it down the toilet. Um...

G: Not a usable offense. Not a usable amount. And Mr. Bowers even said I just needed it for, he was only getting suspended. There was no further prosecution on that.

J: And I presume when you say not a usable amount, that's not an amount you can build a prosecution around.

G: Correct.

J: Is that correct? Ok.

G: And even Mr. Bowers even said it, or it's just a suspension. He's, the kid was in the office since 7:30 and I didn't get the call til 1:30.

J: Have you done something like that before in your training and experience ...

G: Yes.

J: ... with this department?

G: Yes.

J: Have you ever been advised that that's inappropriate?

G: No.

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J: Ok.

P: And on that note, you were a former field training officer with this department, Correct?

G: Correct.

P: Would you have ever trained any brand new officer to flush anything down the toilet?

G: No.

P: So then, therefore, if you would never have trained anybody and you just said to me a minute ago that any time an administrator hands you something of evidentiary value whether it's ...

G: Narcotics ...

P: ... you impound it, and you submit a report. Then why did you flush this?

G: Because it wasn't gonna go anywhere. There was no prosecution behind it.

P: Has this department ever taught you that it's acceptable to flush anything down the toilet?

G: No.

P: Ok.

J: Where, if I may ask then, where did you, where did you develop the practice or idea that was appropriate?

G: This department, I mean, it's, I know it's not a standard practice but I've known other officers to do that, so.

J: Is it something you've learned from other officers, during training ...

G: I don't think it's something I've learned from training. It's ah, it's just me being lackadaisical. That's probably what it is. And I knew this is not gonna go anywhere because the Vice Principal only wanted this number for suspension purposes only. They weren't gonna move any further with this and the district wasn't gonna go anywhere with it.

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- J: So even though it's not pursuant to policy, it's something that you have, you yourself have done and you, you are aware that other officers have done this ...
- G: Yes.
- J: ...or do this as well. Ok. (inaudible)
- P: I wanna um, I'm sorry, what's that?
- J: Nothing. It's, yeah. It's (inaudible) does that. Thank you.
- P: I wanted to touch on, on a few more items here. Um, and I'm sorry I'm bouncing around. I just, I found these, these notes. But the next piece of paper I'm going to show you is um, just so you know Ms. Jerich, San Diego Police Department, is the care taker of our Narcotics Impounds.
- J: Mm, hmm.
- P: And larger impounds such and weapons and things like that. All other impounds we can impound them here in our Police Department. It just, it's chain of custody issue. They have an entire drug lab area down there, they prefer to have them. Um, so they are the care takers of their own records. We have ID's that we use to enter their system ...
- J: Mm, hmm.
- P: ... to impound narcotics of that nature so that it comes back to us. Um, and then we can use this later in court. We can pull the drugs and things like that. I had phoned the property room manager with the San Diego Police Department and I asked him to run Officer Gonzalez's name and ID number through their system. From, and it's small print, I'm sorry, but it's from 9/1/2012 to 4/23/2013. After the April 11<sup>th</sup> incident. And my inquiry was, 'Can you tell me how many impounds Officer Gonzalez has done this year, between that time frame.' And I'm going to let you look at this piece of paper right now. So that you can look it over and, and the highlighted remarks indicates zero impounds have been put into the San Diego Police Department Property Room under Officer Gonzalez's name, or ID number. Is that correct?
- J: Well it looks like what this print out says. I don't know if that's correct.

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- P: Officer Gonzalez, can you explain this to me, why San Diego Police Department has no record of any narcotics impounds for you?
- G: Because I haven't done a lot of narcotics impounds or cases. Ah, a lot, this is probably the biggest one I've had is this one here.
- P: So let me go back ...
- G: So ah, I don't know where you're trying to go with this. I, this is the biggest one that I haven't impounded.
- P: This is the biggest one that you haven't impounded at all. But there is an incident I want to say in October where you went to a house and there was a substantial amount of marijuana found in a bag that you were part of that investigation. I'm not gonna bring that into this particular thing but ...
- G: Which one was that one?
- P: Where you went to the house with Sergeant Jarvis, Tomeldan ...
- G: Yeah, I didn't ...
- P: ... and you went into a safe or ...
- G: ... I had nothing to do with that. I didn't impound that. So ...
- H: Gil, Gil impounded that one.
- P: Oh, ok. Ok. Um, so my question to you is, based off of this piece of paper that I just showed you, have you impounded any drugs into the San Diego Police Department this school year?
- G: No.
- P: Ok. This next piece of paper I'm going to show you is a CAD printout of our department's computer system. And it is, it has listed on here all of the incidents that have been cleared with an 'A' or and 'R' by Officer Gonzalez since January 1, since I've been his supervisor. There are a few other incidents on here that are cleared with 'F's' and 'O's' and 'C's'. Those aren't the ones that I am referring to in this matter. There is a total of 15 reports.

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P: I'll let you look at this right now.

G: Fifteen?

P: Fifteen reports that cleared with an 'A' and an 'R' only.

G: (inaudible)

P: The highlighted ones, there's 4 highlighted reports. That matches this printout which is the computer records management system where all the reports are entered. The highlighted ones are the only reports that we show in the entire system. There's 15 reports that were cleared. We only have 4 reports in the system. We are missing 11 reports. Can you explain where these 11 reports may be?

G: Probably on the computer that you have.

P: So these 11 reports were never submitted?

G: Probably no, or not. They are on that computer for sure.

P: Ok.

G: Cuz I know the, I'm not sure what this 484 one is.

P: Well this one, all those right there you're looking at...

G: These ...

P: ... those are all have been submitted.

G: Oh, ok.

P: Those are accounted for. So don't look that top one. It's just to reference them.

J: So the, the highlighted ...

P: Are the...

G: (inaudible)

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- P: ... ones that have been accounted for. The highlighted reports are the ones that in the system.
- J: Ok.
- G: Ok.
- P: The reports that are ...
- G: But there's no paper behind it. Is that what you are trying to say?
- P: ... no. There's, reports there.
- G: Ok.
- P: It's the one's that are not highlighted, the other 11 reports, the other ones that are clear with an 'R' and an 'A'. Those are nowhere to be found in the system, dating all the way back from January, 2013. So if you look over to your far right corner, you see an 'R', you see an 'A'.
- G: It's all these ones right here.
- P: It is only the 'R's' and the 'A's'. It is not referencing the 'O's', the 'C's' and I don't know what else is.
- J: So it looks like you are referring to possession of alcohol, marijuana, under the influence of alcohol, ah, it looks like an attempted suicide, ah, graffiti, theft cases, runaway juvenile, vandalism reports.
- P: Correct.
- J: These are either, it sounds like um, you were the officer involved and it resulted in a report is it, or um, an arrest and your inquiry is where are the actual documented reports ...
- P: Correct.
- J: ... regarding these incidents. Do you understand the question?
- G: Yes.

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J: Ok, do you have any, as we sit here today, do you have an independent recollection of, I mean I know it's, you're only looking at um, report numbers and a general description, but, of these incidents?

G: Some of them I do remember and some of them I don't.

J: Do you know, did you begin, why don't you tell us about your report writing process for the reports at issue here.

G: Um, I mean, just go from one to one. I don't ...

J: Well in general. Did you, do you normally, is your practice to begin writing a report the day of an arrest?

G: Yeah, day, usually when I get a call or get something that comes into my office or a office or a call, my initial thing is to take a report, an investigation, interview it, and so forth. Um, then ah, if, if time need, or if time deemed, to finish the report. Normally we're, cuz we're such a small agency there's, we tend to get backed up on calls and I know I'm not a, you know report guru, um, you know, these, these could have been just been stacked and never finished. But I do start, I do start reports, I do start my reports and my investigations.

J: When you say stacked, do you mean ...

G: Calls after call after call.

J: ... so you, again, just ...

G: Right.

J: ... I don't want to put words in your mouth but you just got busy and ...

G: Right. And ...

J: ... didn't finish what you started ...

G: ... and the thing is is that the CAD doesn't like to have 'O's' so normally they are gonna be an 'R' or an 'A' so we can further investigate after the fact if needed. But some of these reports did get turned in. The ones that are not highlighted.

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- P: I'm just going off of what the computer is telling me. That's um, my concern here is the reports that are cleared with an 'A' are indication that there was an arrest made. That's what the 'A' stands for an arrest. Correct?
- G: Understand. Yes. Well, yeah. Correct.
- P: If those reports have never made it through the system, and you told an individual they're under arrest...
- G: But, theoretically, these reports get turned in. That's the thing. I'm, that's what I'm trying...
- P: But we're not, but we're not talking theoretically here. We're talking facts.
- G: Well.
- J: Do you have recollection having turned some of the reports in, Officer Gonzalez, that are at least, I think what I'm hearing is, you have no records of having.
- G: Right. No, I do recollect putting some of these reports in. Actually giving them to detectives and sergeants and so forth. Not the sergeants per se to you, you being immediate supervisor, but other sergeants and that.
- J: What other sergeants would you have, or detectives, would you have turned some of these ...
- G: Sergeant Jarvis is one of the other sergeants I worked under. Ah, newly Detective Gresham because of the calls here from his area. Suspicious vehicle, and some of them that are still in that system.
- J: Some of that, some of these reports are still in the system and you are still working on them?
- G: Well, they just need to be turned in. They are completed. And some of these things that says I'm an initial, that I took the call but I've never was the initial agent on it. So I don't know now I how I got some of these calls anyways to begin with.
- P: Well, these are ...

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G: But I understand what you are saying. That it's my name behind it but a lot of these ones I was just more of the photographer on these graffiti ones.

P: ... but these are the particular, these particular calls on that paper ...

G: Right.

P: ... are calls that you physically cleared with whether it be on the phone or the radio. These aren't the ones that you maybe assisted on a call with or something like that. The only way that call can be cleared is ...

G: (inaudible)

P: ... by that particular officer.

G: Understandable. 15 reports. That's pretty good. From my statute.

P: Sergeant Holliday, do you have anything that you would like to add? Because I'm pretty much um ...

H: Ok.

P: Is that mine?

H: Thanks. Um, Tony, does the ah, are you familiar with the impound policy?

G: Through our district or through our ...

H: Our department.

G: Our department. For somewhat, yes.

H: Does our policy give any discretion as to what amount of marijuana you can impound or not impound?

G: Not that I recall, no.

H: Ok. Um, where did you learn about chain of custody?

G: Through my training here, School PD.

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- H: You went, did you go through the Police Department Academy, a police academy?
- G: I went through Southwestern. I put myself through the academy.
- H: And in the academy they talk about the chain of custody?
- G: Yes.
- H: Um, in any of those trainings did they tell you the importance of impounding evidence and making sure that it's impounded in a timely manner and not to give it out to another person or lock it in an unsecured area.
- G: Right. Documentation and so forth, yes.
- H: Ok. Um, when you are investigating these cases that have a minute amount, what, what is the threshold you use for flushing? I mean, what, how, what's your judgment as far as you feel is tolerable and intolerable as far as flushing versus impounding? Does that make sense?
- G: Yes and no. Um, for one, there is no tolerable for flushing down any kind of evidence.
- H: But, but you have though, right?
- G: Yes.
- H: And I, I guess what I'm trying to say is you must not have an idea of in words a, a joint or more, or a joint or less ...
- G: This wouldn't, I wouldn't even call the one particular case about flushing down that, that wasn't even a joint per se.
- H: Ok. So is it right or wrong to flush marijuana, contraband?
- G: Contraband? Correct, it's wrong.
- H: You mentioned that there's other officers that flush. Who are those officers?
- G: Ah, I'd rather not say. I mean, I'm not here to get those in trouble. I'm, Im here for myself.

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- H: Well, understand that Officer Palkovic ordered you to answer all questions truthfully and honestly. I expect to hear, I know it's not an easy thing to do, but it's something we need to deal with.
- J: Everything you say here is confidential...
- P: Right.
- J: ... and um, you have been ordered to truthfully answer if you know. You recall names of any officers you may have ...
- G: Well those officers are no longer here but um, the majority of were Officer Redacted Redacted ah, Redacted Redacted Redacted That's all I can recall.
- H: Ok. Um, Officer Redacted Redacted Redacted and Redacted they've been gone, and Redacted Well they're probably the least, Redacted hasn't been around two years, Redacted Redacted Redacted and Redacted three, four, five years.
- G: Right.
- H: Um, so now, in that window, you haven't seen others, other officers or talked to other officers about flushing contraband or marijuana?
- G: I know officers who don't impound in a timely manner. I mean, that's, that's a standard thing that we've this department has a notion for. I know some officers they wait til two days or three days to wait to impound.
- H: Ok. Um.
- G: And I'm guilty one of them also.
- H: Did Redacted Redacted Redacted Redacted Redacted ever tell you that it was ok to flush?
- G: Never mentioned it any of that. They never said anything. But I witnessed it though.
- H: Ok, you witnessed them flushing it in...
- G: Mm, hmm.

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H: Did any of them tell you in any of their experiences that it's been successful to flush it?

G: Um...

H: Um, you have reports that are stacked, and not finished, where are those reports?

G: Probably in that computer tower that you guys have, that School PD has.

H: Ok. Um, I think that's all I have.

P: I did come across a few more things I'd like to ask. I'm going to show you a picture of, of a bottle of Malibu Rum. This, this picture and this particular bottle was found in your office. Correct?

G: Mm, hmm.

P: On the date where we asked you to give us your ID and your keys and things of that nature. I'm sorry, in the morning on that day.

G: Ok.

P: On the 25<sup>th</sup>. And that bottle was completely full. Correct?

G: Yes. Brand new.

P: And you do you remember what I did with it?

G: Yeah, you dumped it out.

P: And that bottle is related to an incident where you made an arrest on a student.

G: I made a report, never arrested a student because of the fact it was never proven it was his.

P: Because the report that I have is an arrest report. It's on my desk.

G: Um, he never claimed it was his. So I still did a report on it.

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P: And do you remember the comment that you made to me regarding why it was still full and why the bottle in your office?

G: I hold it for evidence for the admin side of it all when it goes to um, whatcha call it, the ...

P: Hearing and Placement.

G: ... Hearing and Placement.

P: Correct. Although that is, it's violation of policy to keep the liquid in there, you still do that for Hearing and Placement purposes?

G: Yes.

P: Ok. And the last thing that I have would be um, this is another student profile of a student by the name of **Redacted** who was involved in the original incident of 4/11. This is the individual who admitted to owning the glass pipe, which is this.

J: Mm, hmm.

P: And I just would like, um, to note on the bottom of this it says, 'Suspension for possession of pipe and admitting to smoking before school and driving. Arrested for possession of pipe.' This is from the administrator at the school. This is her handwriting. Um, and I wanted to ask you again, Officer Gonzalez, did you arrest **Redacted** ?

G: I did not arrest **Redacted** .

P: **Redacted** : dad, was he present at the school?

G: I don't know if he was or not. Not to the day, not to my knowledge, no.

P: So you don't recall telling **Redacted** and his son that his son had been arrested and they were gonna go to court and he needed to do the paperwork?

G: No. I never, I don't recall talking to **Redacted** about that, being arrested for that.

P: Ok.

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G: I know the pipe was found in his vehicle. But he never took ownership for it.

P: Um, because **Redacted** had told me, yes you had arrested his son. I just wanted to make, I just wanted to see what your answer to that whole thing was. Ok.

G: No, I never made any, I would if there would have been a report behind it if there was. There would have been a top sheet on him, a JCR.

P: Ok.

G: And if there's not a JCR then I was, I did not arrest him.

P: Anything else?

H: No.

P: Do you have questions of us?

J: I do not. Anything to add?

G: No.

P: I want to read you um, one last little closing comment, if I may please. Officer Anthony Gonzalez, I am going to order you to not discuss this interview or this investigation with anyone other than your representative or Chief Littlejohn, Lieutenant Florentino, Lieutenant Marquez, Sergeant Holliday or myself. Any violation of this order may result in administrative discipline up to and including discipline termination. Do you understand this?

G: Yes.

P: Ok. Thank you.

Tape ends.

**Reporting Supervisor:** D. Palkovic **Date of Report:** 08/15/13  
**Approved by:** M. Marquez **Date Approved:** 08/20/13

TRANSCRIPT OF INTERVIEW

Redacted

BY SERGEANT DAN PALKOVIC

APRIL 30 , 2013

1 (FILE 070217\_001)

2 SERGEANT PALKOVIC: All right. This  
3 interview is with Redacted , a 12th grader  
4 at Mira Mesa High School, on 4/30/2013 at 10:19.

5 Redacted could you do me a favor and tell  
6 me -- do you remember the incident, by the way?

7 Redacted Yeah.

8 SERGEANT PALKOVIC: Okay. Could you tell  
9 me, from basically the time you got there, the  
10 whole incident, and then what happened when you  
11 guys were brought back up to the office?

12 Redacted Well, I arrived at -- I  
13 arrived kind of late, when everything was going  
14 on.

15 SERGEANT PALKOVIC: Okay.

16 Redacted And I was going to get  
17 a book from my friend's car, not knowing that they  
18 were doing anything, you know, whatever. But he  
19 had another car because he wrecked his car.

20 SERGEANT PALKOVIC: Okay.

21 Redacted And then, as soon as I  
22 went to get his keys to get my book, a teacher  
23 came up, and they all -- he said for them to stay  
24 in the car. Then he called the -- he called the  
25 other security guards to come over, and they

1 searched us, and then we went to the office.

2 SERGEANT PALKOVIC: Okay. So what time,  
3 roughly, did this go down? Was it before school?

4 Redacted Before school. Like  
5 7:00 -- the teacher came at about like 7:25,  
6 because I remember I had time to go to the class.

7 SERGEANT PALKOVIC: Okay. Do you  
8 remember who the teacher was?

9 Redacted Mr. -- Coach Taylor.

10 SERGEANT PALKOVIC: Coach Taylor? So he  
11 shows up. And where was the car that -- where all  
12 the kids were in?

13 Redacted It's behind -- do you  
14 know where the field is?

15 SERGEANT PALKOVIC: I kind of have an  
16 idea. Where the dirt lot is?

17 Redacted Yeah.

18 SERGEANT PALKOVIC: By Taco Bell over  
19 there?

20 Redacted Yeah.

21 SERGEANT PALKOVIC: Okay.

22 Redacted There's a -- there's  
23 like a trash can storage thing.

24 SERGEANT PALKOVIC: Right.

25 Redacted And the car was parked



1 behind there.

2 SERGEANT PALKOVIC: So it was kind of  
3 like out of sight?

4 Redacted Yeah.

5 SERGEANT PALKOVIC: So the coach goes  
6 over to the car.

7 Redacted Yeah.

8 SERGEANT PALKOVIC: And you knew there  
9 was a bunch of kids in there?

10 Redacted I couldn't see. There  
11 was -- me and two other kids were outside of the  
12 car, and there was kids inside the car. I don't  
13 know if they just pulled up or whatever happened  
14 because I was just getting my book. And then,  
15 yeah.

16 SERGEANT PALKOVIC: So you got a book  
17 from a different car?

18 Redacted Yeah.

19 SERGEANT PALKOVIC: And once you got your  
20 book, you went over to that car --

21 Redacted Yeah.

22 SERGEANT PALKOVIC: -- with your friends?

23 Redacted I went to go say bye  
24 and go to class, but --

25 SERGEANT PALKOVIC: All right.

1                   Redacted                   -- the teacher already  
2 had came. So --

3                   SERGEANT PALKOVIC: So by the time you  
4 got to that car --

5                   Redacted                   By the time I got to  
6 the car, the teacher was already there.

7                   SERGEANT PALKOVIC: Okay. And did he  
8 keep everybody in the car?

9                   Redacted                   Well, he did at first.  
10 And then he -- and then he called another cop, and  
11 then -- or another teacher, and they came out.  
12 Everybody came out the car.

13                   SERGEANT PALKOVIC: So he called another  
14 teacher, or he called the cop --

15                   Redacted                   He called the --

16                   SERGEANT PALKOVIC: -- your school cop?

17                   Redacted                   He called the security  
18 guard and another teacher. And then the security  
19 guard came with the cop.

20                   SERGEANT PALKOVIC: Okay. So when they  
21 got there, were the kids still in the car?

22                   Redacted                   No. They were out.

23                   SERGEANT PALKOVIC: They were out. So by  
24 the time that security and the cop showed up, the  
25 kids were out of the car?

1                   Redacted                   Yeah. Because they had  
2 to search us and stuff.

3                   SERGEANT PALKOVIC: Do you remember the  
4 other teacher that was involved?

5                   Redacted                   I know Coach Morales  
6 and Ann.

7                   SERGEANT PALKOVIC: And that was it?

8                   Redacted                   Yeah.

9                   SERGEANT PALKOVIC: And then Coach  
10 Taylor?

11                   Redacted                   Yeah.

12                   SERGEANT PALKOVIC: Okay. So they search  
13 everybody?

14                   Redacted                   Yeah.

15                   SERGEANT PALKOVIC: Did they search you  
16 guys, or did they say empty your pockets?

17                   Redacted                   Oh, well, they -- we  
18 emptied our pockets.

19                   SERGEANT PALKOVIC: So they just said,  
20 "Empty your pockets"?

21                   Redacted                   Yeah.

22                   SERGEANT PALKOVIC: Did they say empty  
23 your backpacks?

24                   Redacted                   No. Then they --

25                   SERGEANT PALKOVIC: And did --

1                   Redacted                   They warned us. They  
2                   said that they were going to do another search,  
3                   and then that's when people who had stuff fessed  
4                   up.

5                   SERGEANT PALKOVIC: Okay. So go into  
6                   that. Tell me about that. So who told you they  
7                   were going to do another search?

8                   Redacted                   Officer Gonzalez.

9                   SERGEANT PALKOVIC: All right. He said,  
10                  "We're going to do another search" -- where? In  
11                  the office or out there?

12                 Redacted                   I don't know where, but  
13                  he said he was going to do a real, like police  
14                  search.

15                 SERGEANT PALKOVIC: Okay. And then what  
16                  happened? You said somebody fessed up?

17                 Redacted                   Not fessed up, but they  
18                  took something out that they had. Like if you  
19                  have something now, take it out.

20                 SERGEANT PALKOVIC: Okay. And that  
21                  person did?

22                 Redacted                   Yeah.

23                 SERGEANT PALKOVIC: And who was that  
24                  person?

25                 Redacted                   Redacted

1 SERGEANT PALKOVIC: Okay. So Redacted took  
2 what out?

3 Redacted He had a container. I  
4 don't know if it had weed in it or not, but he had  
5 a little green container.

6 SERGEANT PALKOVIC: It as a little green  
7 container.

8 Redacted Yeah.

9 SERGEANT PALKOVIC: Anything else did he  
10 have?

11 Redacted No.

12 SERGEANT PALKOVIC: Did he hand it to  
13 Officer Gonzalez?

14 Redacted No. I think it was  
15 like behind something, and then they found it.

16 SERGEANT PALKOVIC: They found it.

17 Redacted But he fessed up to --  
18 that it was his.

19 SERGEANT PALKOVIC: He confessed that it  
20 was his?

21 Redacted Yeah.

22 SERGEANT PALKOVIC: Okay. Were they  
23 smoking in the car?

24 Redacted I don't know if they  
25 were smoking in the car at the school. But I

1 think they did off campus. So --

2 SERGEANT PALKOVIC: All right. So then,  
3 was there anything else that you saw that was  
4 maybe found that somebody fessed up to, saying, "I  
5 have this"?

6 Redacted (No audible response)

7 SERGEANT PALKOVIC: Nothing else?

8 Redacted They didn't say  
9 anything else.

10 SERGEANT PALKOVIC: And then what  
11 happened there? Did everybody get taken up to the  
12 office?

13 Redacted Yeah.

14 SERGEANT PALKOVIC: And then what  
15 happened when you got up to the office?

16 Redacted Well, when we got to  
17 the office, they said everyone was going to be  
18 suspended at first because everyone saw the crime  
19 or was around it. But then they realized that  
20 some people weren't high. So the people that  
21 weren't high were able to be let go.

22 SERGEANT PALKOVIC: Go back to class?

23 Redacted Yeah.

24 SERGEANT PALKOVIC: Okay. Did you get  
25 searched again in the office?

1                   Redacted                   No.

2                   SERGEANT PALKOVIC: All right. You got  
3 any questions for me?

4                   Redacted                   (No audible response)

5                   SERGEANT PALKOVIC: If you saw the  
6 container again, do you think you'd be able to  
7 identify it?

8                   Redacted                   Well, it was like  
9 green. It was like kind of fat, like a green  
10 container.

11                   SERGEANT PALKOVIC: So if I showed you a  
12 picture, do you think you might be able to  
13 recognize it?

14                   Redacted                   Probably. Oh, I don't  
15 remember that one.

16                   SERGEANT PALKOVIC: You don't remember  
17 that?

18                   Redacted                   Well, actually, I think  
19 that is the one, but I thought it was green then.

20                   SERGEANT PALKOVIC: So why do you think  
21 that's it?

22                   Redacted                   Because it looks fat  
23 like that, what I'm -- what I was describing it to  
24 you.

25                   SERGEANT PALKOVIC: Okay. And you don't

1 recognize the pipe?

2                   Redacted                   But I think that's  
3 probably the pipe they had or something.

4                   SERGEANT PALKOVIC: Okay. That's good.  
5 I'm going to -- okay. Well, thank you.

6                   (END OF RECORDING)

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## 1 CERTIFICATE OF TRANSCRIPTIONIST

2 I certify that the foregoing is a true  
3 and accurate transcript of the digital recording  
4 provided to me in this matter.

5 I do further certify that I am neither a  
6 relative, nor employee, nor attorney of any of the  
7 parties to this action, and that I am not  
8 financially interested in the action.

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17 Julie Thompson, CET-1036  
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TRANSCRIPT OF INTERVIEW

Redacted

BY SERGEANT DAN PALKOVIC

APRIL 30 , 2013

1 (FILE 070217\_002)

2 SERGEANT PALKOVIC: No. You're fine.  
3 This thing's very sensitive. This interview is  
4 with Redacted on 4/30/2013 at 10:26. This is  
5 a follow-up to the incident on April 11th.

6 So, Redacted can you go ahead and tell  
7 me everything that happened, basically, from the  
8 time you got to school, what happened out there in  
9 the dirt parking lot, and then when you guys came  
10 up to the office.

11 Redacted All right. So I was getting  
12 dropped off by my brother in the dirt parking lot.  
13 Then, once I got out the car, I saw Redacted And  
14 then -- because we usually walk to class together.  
15 So then we were going to -- and then we were going  
16 to walk to class.

17 And then he was like, "Let's go meet up  
18 with them." So then, when we walked to the car,  
19 we saw Redacted walking to the car. And then right  
20 behind him was -- I forgot which coach it was --  
21 or a teacher.

22 And then the teacher was like, "Oh, well,  
23 you smell like marijuana. Like stay here." And  
24 then me, Redacted, and Redacted were trying to like go  
25 to class because we weren't a part of it. But I

1 guess he needed us to -- everyone to stay there.  
2 And then do you want to hear what happened -- like  
3 the whole thing?

4 SERGEANT PALKOVIC: Yeah. The whole  
5 thing.

6 Redacted All right. And then, so he  
7 calls security. Then security comes with Morales  
8 and -- I forgot the girl's name. And --

9 SERGEANT PALKOVIC: Ann Marie?

10 Redacted Yeah. And then they line us up,  
11 tell us to empty our pockets. And then after  
12 that, they take us to the office. And the nurse  
13 took -- to check if like who was high or not, like  
14 blood pressure and stuff.

15 SERGEANT PALKOVIC: Uh-huh (affirmative).

16 Redacted And then just talked to the VP.  
17 And that was it.

18 SERGEANT PALKOVIC: That was it?

19 Redacted Yeah.

20 SERGEANT PALKOVIC: What time, roughly,  
21 do you -- do you remember when you got dropped  
22 off?

23 Redacted I remember it was like at least  
24 7:24 or something, because I remember I wanted --  
25 because the bell already rang, and I was trying to

1 go to class.

2 SERGEANT PALKOVIC: Okay.

3 Redacted Yeah.

4 SERGEANT PALKOVIC: So you get dropped  
5 off, and you hooked up with Redacted

6 Redacted Yeah.

7 SERGEANT PALKOVIC: And what was Redacted  
8 doing?

9 Redacted Redacted ? I saw Redacted get out the  
10 car too. So I walked towards him. Like he was --

11 SERGEANT PALKOVIC: He got out of --

12 Redacted His mom's --

13 SERGEANT PALKOVIC: -- a different car?

14 Redacted His mom's car.

15 SERGEANT PALKOVIC: Okay.

16 Redacted Yeah.

17 SERGEANT PALKOVIC: So you guys both get  
18 out of cars. You walk to each other.

19 Redacted Yeah.

20 SERGEANT PALKOVIC: And then how did you  
21 know where to go, where that other car was, where  
22 these guys were? Because I heard it was behind a  
23 storage container.

24 Redacted Well, that's where everyone  
25 parks like. And we saw them pull up there.

1           SERGEANT PALKOVIC: So you saw your  
2 friend's -- and that was your friend's car?

3           Redacted It was Redacted car. Yeah.

4           SERGEANT PALKOVIC: Okay. So you saw  
5 Redacted pull up, and you guys figured, hey, we'll  
6 just go over there and kick with them?

7           Redacted Yeah.

8           SERGEANT PALKOVIC: And you guys weren't  
9 going over there to smoke or anything?

10          Redacted No.

11          SERGEANT PALKOVIC: All right. So when  
12 you got over there, that's when Coach Taylor came  
13 up?

14          Redacted Yeah.

15          SERGEANT PALKOVIC: So you hadn't even  
16 made it to the car yet, or were you at the car?

17          Redacted Well, we made it to the car, and  
18 then he showed up.

19          SERGEANT PALKOVIC: Were you talking to  
20 your friends?

21          Redacted Like right -- I was -- while I  
22 was walking to the car with Redacted and then Redacted  
23 showed up, and we said hey to him. And then Redacted  
24 was like in front of the car, and then Coach  
25 Taylor just showed up.

1                   SERGEANT PALKOVIC: So who was in the  
2 car?

3                   Redacted Oh, Redacted Redacted Redacted and  
4 Redacted

5                   SERGEANT PALKOVIC: Did you smell  
6 anything?

7                   Redacted Yeah. We could smell it right  
8 when we walked up.

9                   SERGEANT PALKOVIC: So then you walked  
10 up, and what did you say to yourself? Like oh?

11                  Redacted I was like, oh. Right. I  
12 didn't say -- I just (indiscernible).

13                  SERGEANT PALKOVIC: You guys are smoking.

14                  Redacted Yeah.

15                  SERGEANT PALKOVIC: You guys are smoking  
16 out. So then Coach Taylor walks up. And you said  
17 Redacted wasn't in the car?

18                  Redacted No. Redacted was -- he walked like  
19 on the other side, because he came from -- he had  
20 came from the -- like the field side. And then we  
21 saw Redacted and then we saw Redacted behind him.

22                  SERGEANT PALKOVIC: Okay. So Coach  
23 Taylor comes up, and then what -- did he tell the  
24 people in the car to stay in the car, to get out  
25 of the car?

1           Redacted     He just -- well, he didn't say  
2     anything. He was just like, whoa, like, you guys  
3     are in trouble, whatever. And then, because --  
4     and then we tried to leave, like people that  
5     didn't do anything. But he wanted us to stay  
6     there, so I guess that's when he said to stay, and  
7     he called security.

8           SERGEANT PALKOVIC: So then, when  
9     security got there --

10          Redacted     Yeah.

11          SERGEANT PALKOVIC: -- you said it was  
12     Ann Marie and the officer?

13          Redacted     And Morales.

14          SERGEANT PALKOVIC: And Morales. So all  
15     three of them show up. When they got there, were  
16     the four people in the car still sitting in the  
17     car?

18          Redacted     No. They were outside already.  
19     Yeah.

20          SERGEANT PALKOVIC: So the four got out,  
21     and then you three. That's a total of seven,  
22     right?

23          Redacted     Yeah.

24          SERGEANT PALKOVIC: So there's seven of  
25     you standing outside the car. Security and the



1 officer show up. And then what happens from  
2 there?

3 Redacted And then they tell us to empty  
4 our pockets one by one.

5 SERGEANT PALKOVIC: Who told you?

6 Redacted I forgot who told us, but I  
7 remember Marie checked us like one by one. I  
8 forgot who said the words, but --

9 SERGEANT PALKOVIC: What do you mean, she  
10 checked you? Like she physically grabbed your  
11 pockets and went in them and everything?

12 Redacted No. She just like lined us up  
13 and like told us empty our pockets and show us --  
14 like on the cart.

15 SERGEANT PALKOVIC: Okay. So she's  
16 like --

17 Redacted And then she --

18 SERGEANT PALKOVIC: -- "Hey, empty  
19 everything onto the cart"?

20 Redacted Yeah.

21 SERGEANT PALKOVIC: So you guys emptied  
22 everything on the cart. And then, what'd you do  
23 form that --

24 Redacted From --

25 SERGEANT PALKOVIC: -- from there?

1           Redacted     They sat us down on the log.

2           SERGEANT PALKOVIC:   So after you got down  
3 emptying your stuff out, then everybody sat on the  
4 log.

5           Redacted     One by one.   Yeah.

6           SERGEANT PALKOVIC:   Okay.

7           Redacted     After they got checked.

8           SERGEANT PALKOVIC:   And then what  
9 happened?   Were there any drugs or anything found?

10          Redacted     Yeah.   There was -- I think it  
11 was Redacted who tried to like get rid of his drug  
12 that was on him, and they found that.

13          SERGEANT PALKOVIC:   They found that.

14          Redacted     Yeah.

15          SERGEANT PALKOVIC:   Do you remember who  
16 found that?

17          Redacted     It was -- I think I would say  
18 Marie, but I'm not sure.

19          SERGEANT PALKOVIC:   Okay.

20          Redacted     I'm not sure it was Marie.

21          SERGEANT PALKOVIC:   And then, do you know  
22 what happened with those drugs?   Did she keep  
23 them?   Did she give them to somebody?

24          Redacted     I think -- I don't know if it  
25 was -- I wasn't there in the office that long,

1 because they all took it to like put it --

2 SERGEANT PALKOVIC: All right.

3 Redacted -- to use it against them.

4 SERGEANT PALKOVIC: Did you see the  
5 drugs?

6 Redacted Yeah.

7 SERGEANT PALKOVIC: What'd they look  
8 like?

9 Redacted Like -- I don't know. Like --

10 SERGEANT PALKOVIC: Was it in a  
11 container?

12 Redacted Oh, yeah. It --

13 SERGEANT PALKOVIC: Was it in a plastic  
14 bag?

15 Redacted -- was a plastic container.  
16 Yeah.

17 SERGEANT PALKOVIC: What kind of  
18 container?

19 Redacted I think it was a purple one.

20 SERGEANT PALKOVIC: Purple container?

21 Redacted Yes.

22 SERGEANT PALKOVIC: Was there any device  
23 used for smoking weed?

24 Redacted That was confiscated? I --

25 SERGEANT PALKOVIC: You know, like that

1 you saw. All right. What were these guys smoking  
2 with? Their hands? They're like (inhales).

3 Redacted I forgot what the officer's name  
4 is, but --

5 SERGEANT PALKOVIC: Gonzalez?

6 Redacted Yeah. He looked in the car, and  
7 he was -- he saw the pipe. And I think he -- I  
8 don't know if he took it or not.

9 SERGEANT PALKOVIC: So Officer Gonzalez  
10 searched the car?

11 Redacted No. He looked -- he looked  
12 inside, and he was like, "Oh, there's a pipe  
13 there."

14 SERGEANT PALKOVIC: Like did he go over  
15 to the passenger's side or the driver's side?

16 Redacted The driver's side.

17 SERGEANT PALKOVIC: So he goes to the  
18 driver's side door, looks in the car, and you --  
19 and you -- he sees a pipe?

20 Redacted Well, that's what he said when  
21 we were sitting at the log, because we weren't  
22 like standing by him or anything.

23 SERGEANT PALKOVIC: Tell me what he said.

24 Redacted He said, "Oh, there's a pipe  
25 right there," while we were sitting on the log.

1           SERGEANT PALKOVIC: So you guys are  
2 sitting -- I'm just trying to clarify. That's  
3 all.

4           Redacted Yeah. That's all right.

5           SERGEANT PALKOVIC: So you guys were all  
6 sitting on the log. You've all been searched.

7           Redacted Uh-huh (affirmative).

8           SERGEANT PALKOVIC: And Gonzalez --  
9 Officer Gonzalez said -- he went over to the car.  
10 He saw a pipe in the car?

11          Redacted Yeah.

12          SERGEANT PALKOVIC: And then he took it?

13          Redacted Yeah.

14          SERGEANT PALKOVIC: Okay.

15          Redacted Yeah.

16          SERGEANT PALKOVIC: And then what -- did  
17 he do that while you were sitting down? He walked  
18 over to the car and saw it?

19          Redacted Yeah. We were all like lined  
20 up, waiting to get like put sort of like -- or  
21 escalated to the office.

22          SERGEANT PALKOVIC: Okay. And that's  
23 when he went over to the car, and he saw the pipe,  
24 and he took the pipe?

25          Redacted Yeah.

1           SERGEANT PALKOVIC: Okay. And then, so  
2 from there, what happened? Did you guys come up  
3 to the office?

4           Redacted Yeah. They made us walk to the  
5 office. And they were just following us, because  
6 they -- we didn't have enough -- there was seven  
7 of us. They couldn't all fit us --

8           SERGEANT PALKOVIC: Sure.

9           Redacted -- on the --

10          SERGEANT PALKOVIC: Sure.

11          Redacted Yeah.

12          SERGEANT PALKOVIC: And I understand  
13 that. So then you guys get to the office, and  
14 basically, security -- she gave you to the VPs?

15          Redacted Yeah. They made us sit on --  
16 separated, and then one by one to the nurse, and  
17 then one by one to the VPs.

18          SERGEANT PALKOVIC: Did any of you come  
19 into Officer Gonzalez's office and he interview  
20 you?

21          Redacted The one that got caught with the  
22 container was in this one. And then, I don't know  
23 if Redacted went in this one because I left early,  
24 because I was already off.

25          SERGEANT PALKOVIC: So Officer Gonzalez

1 didn't interview you?

2 Redacted No.

3 SERGEANT PALKOVIC: Okay.

4 Redacted VP.

5 SERGEANT PALKOVIC: Just the VP only?

6 Redacted Yeah.

7 SERGEANT PALKOVIC: Okay.

8 Redacted But I know Redacted got interviewed  
9 here because he was the first one.

10 SERGEANT PALKOVIC: Okay. If I showed  
11 you a picture of the container with the weed,  
12 would you be able to identify it?

13 Redacted Okay.

14 SERGEANT PALKOVIC: You -- would you be  
15 able to remember it?

16 Redacted Yeah.

17 SERGEANT PALKOVIC: You think?

18 Redacted Purple.

19 SERGEANT PALKOVIC: That's it?

20 Redacted Yeah.

21 SERGEANT PALKOVIC: And it -- do you  
22 recognize the pipe, or no?

23 Redacted Because I wasn't there, using  
24 it. Sorry.

25 SERGEANT PALKOVIC: Okay. So you didn't

1 see Officer Gonzalez take it out?

2 Redacted Well --

3 SERGEANT PALKOVIC: Or you did, you just  
4 didn't see -- you saw him remove something; you  
5 just didn't see what it was?

6 Redacted I don't recall him -- seeing it.  
7 I just -- because I -- the whole time I put -- I  
8 was putting my head down. But I heard him talk  
9 about it.

10 SERGEANT PALKOVIC: So you heard him talk  
11 about it.

12 Redacted Yeah.

13 SERGEANT PALKOVIC: Okay. Okay. That's  
14 good enough. Thank you very much.

15 (END OF RECORDING)  
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## 1 CERTIFICATE OF TRANSCRIPTIONIST

2 I certify that the foregoing is a true  
3 and accurate transcript of the digital recording  
4 provided to me in this matter.

5 I do further certify that I am neither a  
6 relative, nor employee, nor attorney of any of the  
7 parties to this action, and that I am not  
8 financially interested in the action.

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17 Julie Thompson, CET-1036  
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10                   TRANSCRIPT OF INTERVIEW  
11                   ANN MARIE PALMA-KINOSHITA  
12                   BY SERGEANT DAN PALKOVIC  
13                   APRIL 30 , 2013  
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Page 1

1 (FILE 070216\_001)

2 MS. PALMA-KINOSHITA: Hey, Coach, I'm  
3 going off radio.

4 SERGEANT PALKOVIC: I didn't know your  
5 last name was --

6 MS. PALMA-KINOSHITA: Palma-Kinoshita.

7 SERGEANT PALKOVIC: Kinoshita?

8 MS. PALMA-KINOSHITA: But I only go by  
9 Palma.

10 SERGEANT PALKOVIC: All right. Today is  
11 April 30, 2013, at -- oh, let's see here, 9:30,  
12 9:25. And I'm speaking with Ann Marie in regards  
13 to an incident of 4/11. So that's --

14 MS. PALMA-KINOSHITA: So that's --  
15 that's --

16 SERGEANT PALKOVIC: (Indiscernible) And  
17 just so you know, this is recorded, as you know  
18 already. Can you please tell me about the  
19 incident, what happened that day?

20 MS. PALMA-KINOSHITA: So during  
21 supervision up on Reagan Road with Officer  
22 Gonzalez, got a call -- Coach Morales got a call  
23 from John Taylor, Coach Taylor, that something was  
24 going on in the back.

25 So Tony and I proceeded to drive to the

1 back dirt lot, where we met up with Taylor. And  
2 Taylor said there was a strong odor -- there were  
3 -- offhand, I couldn't tell you how many kids,  
4 without looking at names -- where Taylor said  
5 there was a strong odor of marijuana. So he was  
6 holding all the kids there.

7 SERGEANT PALKOVIC: And Taylor is --

8 MS. PALMA-KINOSHITA: Coach Taylor.

9 SERGEANT PALKOVIC: He's the PE coach?

10 MS. PALMA-KINOSHITA: Yes.

11 SERGEANT PALKOVIC: Okay. So you guys  
12 went over to the car? Was it -- it was in a car?

13 MS. PALMA-KINOSHITA: Uh-huh  
14 (affirmative).

15 SERGEANT PALKOVIC: And then, were they  
16 all in the car, out of the car?

17 MS. PALMA-KINOSHITA: No. They were --  
18 they were all out of the car.

19 SERGEANT PALKOVIC: Okay. So what  
20 happened from there, then? It was you --

21 MS. PALMA-KINOSHITA: From there --

22 SERGEANT PALKOVIC: It was you, Tony --

23 MS. PALMA-KINOSHITA: It was me and  
24 Officer Gonzalez, and then Taylor.

25 SERGEANT PALKOVIC: Coach Taylor.

1 MS. PALMA-KINOSHITA: Yeah.

2 SERGEANT PALKOVIC: Okay. The three of  
3 you, and then all the kids?

4 MS. PALMA-KINOSHITA: Yes.

5 SERGEANT PALKOVIC: So what happened from  
6 then?

7 MS. PALMA-KINOSHITA: So then Tony talked  
8 to Taylor, I believe. And then Taylor said he  
9 smelled -- he had -- he saw kids walking to the  
10 back of where -- because it was covered by the  
11 containers --

12 SERGEANT PALKOVIC: Okay.

13 MS. PALMA-KINOSHITA: -- the containers  
14 that are back there. And he saw two kids going  
15 back there. And then, I guess, as John was  
16 pulling up -- I don't know the details of that,  
17 but John said he could smell the aroma of  
18 marijuana. So John followed them back there, and  
19 then John said they were all back here. And Redacted  
20 Redacted car, which is the white car, was parked  
21 directly so that it was being covered by the  
22 container.

23 SERGEANT PALKOVIC: Okay.

24 MS. PALMA-KINOSHITA: And then, at that  
25 point, Tony said, "Okay. I need you guys to empty

1 out your backpacks and empty out your pockets,"  
2 which what they did was they emptied it out onto  
3 the back of my cart, because I parked out there.  
4 So one by one, they emptied out their pockets and  
5 their backpack. And then I smelled their hands to  
6 see if they had the smell of marijuana on their  
7 hands. And then they were directed by Tony to sit  
8 on the log that was out there.

9 SERGEANT PALKOVIC: Okay. And you parked  
10 next to the car in question?

11 MS. PALMA-KINOSHITA: I parked like kind  
12 of in the middle of -- there were two cars out  
13 there, and I can't remember what the other car  
14 was. But Redacted car was parked directly  
15 on -- when you pull back into the lot on the  
16 right-hand side, covered by the container, and  
17 there was another car parked on the other side,  
18 which I don't remember whose car that was on the  
19 opposite of the street.

20 SERGEANT PALKOVIC: Okay. So, and then,  
21 when the kids were emptying out their backpacks,  
22 was anything produced?

23 MS. PALMA-KINOSHITA: No.

24 SERGEANT PALKOVIC: Nothing at all?

25 MS. PALMA-KINOSHITA: No.

1           SERGEANT PALKOVIC: So then they all sat  
2 on the curb.

3           MS. PALMA-KINOSHITA: Right.

4           SERGEANT PALKOVIC: And then what'd you  
5 guys do from there?

6           MS. PALMA-KINOSHITA: From there, I was  
7 just keeping an eye on them. Tony was talking to  
8 them. And at that point, I had called Aurelio,  
9 kind of said, hey, Aurelio, you need to go -- get  
10 back here because I noticed a lot of them are  
11 football players. And because he mentors a lot of  
12 the kids, I always consider them his kids. I  
13 called him back there, and then, at that point,  
14 then Aurelio came back at one point.

15           SERGEANT PALKOVIC: So then, I guess at  
16 one point in time, after everybody was back there,  
17 all the kids were collected and brought up to the  
18 office?

19           MS. PALMA-KINOSHITA: Correct.

20           SERGEANT PALKOVIC: Did you guys take  
21 custody of their backpacks?

22           MS. PALMA-KINOSHITA: No.

23           SERGEANT PALKOVIC: So they all got to  
24 carry their own backpack?

25           MS. PALMA-KINOSHITA: As we followed them

1 into the office, correct.

2 SERGEANT PALKOVIC: Did anybody search  
3 the car?

4 MS. PALMA-KINOSHITA: I do not remember,  
5 to be -- actually, let me step back, because as I  
6 was watching them when they were all sitting on  
7 the log, one of them was particularly squirrely,  
8 and Tony then instructed me to keep an eye on him,  
9 which was Redacted -- and I don't remember Redacted  
10 last name -- was to keep an eye on Redacted because  
11 Redacted was particularly squirrely while he was  
12 sitting on the log.

13 So what I did was after we finished --  
14 after each kid, one by one, emptied out their  
15 backpack and then were instructed to sit on the  
16 log, what I did was I went around to the back,  
17 which is like to the side of -- the log was this  
18 way.

19 SERGEANT PALKOVIC: Right.

20 MS. PALMA-KINOSHITA: And I went around  
21 to the back to make sure that nothing was dumped.  
22 And at that point, that's when I saw the container  
23 of marijuana and the lighter dumped behind --

24 SERGEANT PALKOVIC: The log.

25 MS. PALMA-KINOSHITA: -- the log.



1 SERGEANT PALKOVIC: Okay.

2 MS. PALMA-KINOSHITA: And that's when I  
3 picked it up, and I showed Tony. And then Tony  
4 took possession of that container along with the  
5 lighter.

6 SERGEANT PALKOVIC: What did the  
7 container look like?

8 MS. PALMA-KINOSHITA: It was purple, I  
9 believe. Purple --

10 SERGEANT PALKOVIC: And then --

11 MS. PALMA-KINOSHITA: -- purple plastic  
12 container.

13 SERGEANT PALKOVIC: And was there stuff  
14 in it?

15 MS. PALMA-KINOSHITA: Yeah.

16 SERGEANT PALKOVIC: And then you said  
17 something about a pipe?

18 MS. PALMA-KINOSHITA: No. Not a pipe, a  
19 lighter.

20 SERGEANT PALKOVIC: A lighter?

21 MS. PALMA-KINOSHITA: Yeah. It was a  
22 lighter.

23 SERGEANT PALKOVIC: Okay. So there was  
24 only a -- the -- you only saw a lighter --

25 MS. PALMA-KINOSHITA: And a --

1 SERGEANT PALKOVIC: And a container.

2 MS. PALMA-KINOSHITA: And a container.

3 SERGEANT PALKOVIC: A purple container.

4 MS. PALMA-KINOSHITA: Yeah.

5 SERGEANT PALKOVIC: All right. So then  
6 everybody went up to the office?

7 MS. PALMA-KINOSHITA: So then, at that  
8 point, yeah. Then we followed -- Tony and I and  
9 Aurelio followed everybody up. They were walking  
10 in front of us, and we followed them up to the  
11 office.

12 SERGEANT PALKOVIC: Okay. Once in the  
13 office, what happened?

14 MS. PALMA-KINOSHITA: Once in the office,  
15 they were each -- I was kind of in and out. I was  
16 kind of in and out of the office, between  
17 Frannie's office and the front and back here,  
18 because they had -- they were instructed, I  
19 believe by Tony -- I don't remember who instructed  
20 -- but to sit at -- all at separate tables.

21 SERGEANT PALKOVIC: Okay.

22 MS. PALMA-KINOSHITA: So everybody had  
23 their backpack. But I think Frannie -- I think  
24 that Frannie was the one that said, "Put your  
25 backpack in front of you and don't touch it." So

1 they were each sitting at separate tables, and if  
2 they had a backpack, their stuff was put directly  
3 in front of them.

4 SERGEANT PALKOVIC: And then, did they  
5 only see Frannie, or did they see any of the other  
6 VPs?

7 MS. PALMA-KINOSHITA: You know what?  
8 I --

9 SERGEANT PALKOVIC: Did -- they probably  
10 would have saw each --

11 MS. PALMA-KINOSHITA: I can't remember.  
12 They probably saw -- yeah. I know between Tony  
13 and between -- I don't know if it was Sara and  
14 Frannie handling at the same time, to be honest  
15 with you, because like I said, I was kind of in  
16 and out. And then, at one point, I was just  
17 making sure that nobody was taking off, that none  
18 of these kids were bolting out the door or  
19 leaving. So I was kind of, like I said, in  
20 between the front and the -- and then, I think at  
21 one point that each of them were -- Frannie had  
22 each of them get up with their stuff and go to the  
23 nurse's office to be evaluated by the nurse.

24 SERGEANT PALKOVIC: So it sounds like  
25 your role was just out there by the car?

1 MS. PALMA-KINOSHITA: Yeah.

2 SERGEANT PALKOVIC: And then you came in,  
3 and then the VPs took over from there?

4 MS. PALMA-KINOSHITA: Yeah.

5 SERGEANT PALKOVIC: So let me get this --  
6 if I -- correct me if I'm wrong. You're out in  
7 the morning, out here with Tony?

8 MS. PALMA-KINOSHITA: Yes.

9 SERGEANT PALKOVIC: You guys get a call,  
10 back to the back, by Aurelio?

11 MS. PALMA-KINOSHITA: Correct.

12 SERGEANT PALKOVIC: Okay.

13 MS. PALMA-KINOSHITA: Well, John Taylor  
14 calls Aurelio on the cell phone.

15 SERGEANT PALKOVIC: Oh, okay. So --

16 MS. PALMA-KINOSHITA: And then -- and --

17 SERGEANT PALKOVIC: -- Coach Taylor's  
18 back there?

19 MS. PALMA-KINOSHITA: Correct.

20 SERGEANT PALKOVIC: He comes across the  
21 kids smoking?

22 MS. PALMA-KINOSHITA: Correct. Calls  
23 Aurelio on the cell phone.

24 SERGEANT PALKOVIC: So he's relaying this  
25 to Aurelio?

1 MS. PALMA-KINOSHITA: Yes. Aurelio gets  
2 it on his cell phone, tells us we need to go to  
3 the back.

4 SERGEANT PALKOVIC: So then he was still  
5 out here?

6 MS. PALMA-KINOSHITA: Yes.

7 SERGEANT PALKOVIC: Okay.

8 MS. PALMA-KINOSHITA: Aurelio stayed in  
9 front.

10 SERGEANT PALKOVIC: So you and Tony go  
11 back there; you find the coach with the kids.

12 MS. PALMA-KINOSHITA: Correct.

13 SERGEANT PALKOVIC: Nobody was in the  
14 car?

15 MS. PALMA-KINOSHITA: Not that I can  
16 recall, to be honest with you.

17 SERGEANT PALKOVIC: And then you guys  
18 have them sit down on the log. They're emptying  
19 out their backpacks one at a time.

20 MS. PALMA-KINOSHITA: They weren't  
21 instructed to sit on the log until -- because  
22 everybody was kind of standing around. They were  
23 instructed to empty out their pockets and their  
24 backpack, and then instructed to sit down on the  
25 log.

1           SERGEANT PALKOVIC:  So after they emptied  
2 out their pockets and backpack --

3           MS. PALMA-KINOSHITA:  Yes.

4           SERGEANT PALKOVIC:  So they emptied  
5 everything out?

6           MS. PALMA-KINOSHITA:  Yes.

7           SERGEANT PALKOVIC:  Then they say on the  
8 log?

9           MS. PALMA-KINOSHITA:  Correct.

10          SERGEANT PALKOVIC:  So then, how were the  
11 drugs found on the log -- by the log?

12          MS. PALMA-KINOSHITA:  Because like I  
13 said, he was squirrely.  Well --

14          SERGEANT PALKOVIC:  So he didn't empty  
15 out his pockets the right way --

16          MS. PALMA-KINOSHITA:  Exactly.  Exactly.

17          SERGEANT PALKOVIC:  -- or his backpack  
18 the right way?

19          MS. PALMA-KINOSHITA:  Exactly.

20          SERGEANT PALKOVIC:  And Tony didn't  
21 search him physically?

22          MS. PALMA-KINOSHITA:  No.

23          SERGEANT PALKOVIC:  He just sat there and  
24 said --

25          MS. PALMA-KINOSHITA:  No.

1                   SERGEANT PALKOVIC:  -- "Empty out  
2   your"  --

3                   MS. PALMA-KINOSHITA:  Correct.

4                   SERGEANT PALKOVIC:  All right.

5                   MS. PALMA-KINOSHITA:  We didn't do like a  
6   physical, normal, like --

7                   SERGEANT PALKOVIC:  Right.

8                   MS. PALMA-KINOSHITA:  -- pat-down, not --

9                   SERGEANT PALKOVIC:  Right, right, right.  
10   Okay.  Would you be able to recognize the  
11   container if I showed you a picture?

12                   MS. PALMA-KINOSHITA:  Probably.  I  
13   remember it was purple.  Purple and plastic.  
14   Yeah.

15                   SERGEANT PALKOVIC:  Is that the picture?

16                   MS. PALMA-KINOSHITA:  Yeah.  But I didn't  
17   see the pipe.

18                   SERGEANT PALKOVIC:  Okay.  Thank you.

19                   MS. PALMA-KINOSHITA:  So how were they  
20   thrown under the bus?  Do you --

21                   (END OF RECORDING)

22

23

24

25

## 1 CERTIFICATE OF TRANSCRIPTIONIST

2 I certify that the foregoing is a true  
3 and accurate transcript of the digital recording  
4 provided to me in this matter.

5 I do further certify that I am neither a  
6 relative, nor employee, nor attorney of any of the  
7 parties to this action, and that I am not  
8 financially interested in the action.

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15 A handwritten signature in blue ink, appearing to read 'J Thompson', with a horizontal line extending to the right.

16  
17 Julie Thompson, CET-1036



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10                   TRANSCRIPT OF INTERVIEW  
11                   AURELIO MORALES  
12           BY SERGEANT DAN PALKOVIC  
13                   APRIL 30 , 2013  
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Page 1

1 (FILE 070217\_000)

2 SERGEANT PALKOVIC: This is a recording  
3 on April 30, 2013, at 9:50. I have Aurelio  
4 Morales in the office, and we're going to talk  
5 about the incident on 4/11/13.

6 So if you could just kind of give me an  
7 idea how you came about the whole thing.

8 MR. MORALES: Well, we were -- we were  
9 all out on the front, on Reagan Road to the admin  
10 parking lot. We're just sitting there, and then I  
11 got a call from a PE teacher, football coach, John  
12 Taylor. He had just said, hey, look, come check  
13 out some kids back here that were -- and I can't  
14 -- I don't know his exact words, but he said, I  
15 got some kids back here either I think were  
16 smoking or are smoking.

17 So I just said, "Okay. We'll send  
18 somebody back." Well, I just told Tony and Ann  
19 Marie to go. So they went back there.

20 About I'd say approximately 10 minutes  
21 later, maybe 15, maybe 10, I got another call from  
22 Ann Marie, saying, "Hey, look, Coach, you might  
23 want to come back here. There's some of your  
24 football players" -- or "some of your players" --  
25 something to that thing.

1           When I got back there, it was pretty much  
2 a bunch of kids that were directly in -- you know,  
3 I'd been directly involved with at one point or  
4 another, you know, through football. And football  
5 -- really, I think all of them -- maybe one of  
6 them, I think, wasn't -- I don't think Redacted ever  
7 came out -- but pretty much all of them were  
8 football players.

9           And at that point, you know, that's when  
10 I just started talking to them. My personal  
11 coaching deal was, "Hey, look guys. You know,  
12 what are we doing? Okay. What are we doing here?  
13 You know, I mean, what's going on?"

14           And then we just -- you know, from there,  
15 it just -- we just start talking. And I don't  
16 even know how many -- 10 minutes.

17           SERGEANT PALKOVIC: Do you remember all  
18 their names or anybody that was there?

19           MR. MORALES: Well, Ann Marie, Tony,  
20 myself. And Coach Taylor was already gone by the  
21 time I got there.

22           SERGEANT PALKOVIC: Oh, he left. Okay.

23           MR. MORALES: He left. So I don't even  
24 -- yeah. He left, because I was -- I don't even  
25 know where they were. When I pulled in, I stopped

1 by the football weight room, and I was like,  
2 "Where are they at?" I couldn't see them. And I  
3 was -- then he goes, "Oh, they're over there." So  
4 he was already back at the weight room.

5 SERGEANT PALKOVIC: All right.

6 MR. MORALES: And he pointed back over by  
7 the -- to the back of the school. There's a  
8 container right there, and that's where the kids  
9 were. When they were back there -- that's when I  
10 pulled back there. There was -- I think it was  
11 either six or seven.

12 SERGEANT PALKOVIC: Do you remember the  
13 kids' names?

14 MR. MORALES: It was Redacted , Redacted  
15 Redacted Redacted , Redacted , Redacted  
16 (phonetic) -- I can't remember Redacted first name.  
17 He had three brothers.

18 SERGEANT PALKOVIC: All boys?

19 MR. MORALES: All boys. No girls.

20 SERGEANT PALKOVIC: When you got back  
21 there, were they in or out of the car?

22 MR. MORALES: They were all out of the  
23 car, sitting on a log.

24 SERGEANT PALKOVIC: Okay. So they're all  
25 sitting on a log.

1 MR. MORALES: Yeah.

2 SERGEANT PALKOVIC: Did you guys find  
3 anything on the kids?

4 MR. MORALES: There was stuff on the  
5 ground. I didn't -- we didn't -- they were  
6 sitting down. And then there was some stuff that  
7 was behind -- there was a lighter, and then there  
8 was a jar. It was a -- like a maroon -- I don't  
9 know, like a pinkish-maroon, like a pinkish-  
10 colored jar that was behind. And then I think  
11 another lighter. I think that's what it was,  
12 another lighter was back there. And they pulled  
13 it out. They must -- I don't know. I imagine it  
14 was somebody that was there, and then it ended up  
15 in the front. So --

16 SERGEANT PALKOVIC: It ended up in the  
17 front of all the kids?

18 MR. MORALES: Yeah. I think -- I think  
19 Ann Marie went behind and said, "Oh, look.  
20 It's" --

21 SERGEANT PALKOVIC: Okay.

22 MR. MORALES: They put it down on the  
23 front of -- front of them.

24 SERGEANT PALKOVIC: And then, did you see  
25 where that went from there?

1           MR. MORALES: You know what? Honestly, I  
2 did not. I did not see -- I don't even remember  
3 who picked it up. I didn't pick it up. But I  
4 don't remember who grabbed it. The kids didn't.  
5 I didn't see the kids grab it again because it  
6 ended up in here. So that's -- the next time I  
7 saw it, it was in here. So I don't know if it  
8 ended up -- how it got here.

9           I was just -- personally, I was -- I was  
10 already more -- what can I say -- how can I say it  
11 -- more upset of the fact that they were kids  
12 that --

13           SERGEANT PALKOVIC: Sure.

14           MR. MORALES: -- that I had directly been  
15 involved with. And this was kind of -- you know,  
16 kind of questioning my ability to coach kids. And  
17 this is -- seven of them I was directly -- and  
18 this is what happens. Because here's another --  
19 you know, it's like just trying to stop all that  
20 stuff, you know, and here's the football kids, and  
21 this is what they're about.

22           SERGEANT PALKOVIC: Right.

23           MR. MORALES: And I didn't -- I just --  
24 and it crushed me for a while.

25           SERGEANT PALKOVIC: So then, from there,

1     what'd you guys do?   Just --

2                 MR. MORALES:   Walk -- we had to walk --

3                 SERGEANT PALKOVIC:   All to the --

4                 MR. MORALES:   We had -- we all walked up  
5     to the office --

6                 SERGEANT PALKOVIC:   Right.

7                 MR. MORALES:   -- you know.   I think we  
8     didn't have -- we were on carts, and then Tony was  
9     walking.   We were just right to him, like that,  
10    you know, because there was so many of them.   They  
11    just walked them right in here.   And then they  
12    were in here, and I was just -- I left.   I went  
13    outside.   I didn't see anything after that.

14                I didn't know, you know, probably for a  
15    couple of hours.   I came in here and talked to  
16    Redacted       because, you know, he's a personal  
17    friend.   You know, he's a personal friend.   I  
18    mean, he's -- one of the reasons why he was on the  
19    football team, because of me.   And so, you know,  
20    it was like -- that one hurt a lot.   And so I came  
21    and talked to him for like 20 minutes, just trying  
22    to, you know, talk some sense into him and talk to  
23    him.   And I talked to Redacted   you know, in Fran's  
24    office.   But I didn't watch them.   I didn't -- you  
25    know, so I don't know what went on after that.

1           SERGEANT PALKOVIC: What was -- do you  
2 remember what Taylor told you on the -- did he  
3 call you on the phone or the radio?

4           MR. MORALES: Yeah. On the phone.

5           SERGEANT PALKOVIC: You remember what he  
6 told you?

7           MR. MORALES: Something -- I -- like I  
8 said, I -- the exact words, I don't remember. It  
9 was like, hey, Coach, can you guys come back? I  
10 got some kids smoking in the car or --

11          SERGEANT PALKOVIC: Okay.

12          MR. MORALES: -- something to that  
13 effect --

14          SERGEANT PALKOVIC: All right.

15          MR. MORALES: -- you know. So I don't  
16 know how he -- I don't know how he knew , if he  
17 went back there or he seen somebody -- I don't  
18 even know, to be -- I can't even recall exactly,  
19 because he didn't get into detail about it. You  
20 know, he just said that he had -- the car -- he  
21 seen the car -- I got some kids in the car, or  
22 something like that. I don't know. You'd have to  
23 ask him.

24          SERGEANT PALKOVIC: If I showed you a  
25 picture of that container, would you be able to



1 recognize it, you think?

2 MR. MORALES: Yeah. Yeah, yeah. Yeah.  
3 Yeah, that was it.

4 SERGEANT PALKOVIC: And you don't  
5 recognize the pipe next to it?

6 MR. MORALES: See, I thought it was  
7 either a lighter or a pipe. I don't remember  
8 seeing the -- I -- there was -- there was a --  
9 there was something, but I don't know if it was a  
10 pipe or -- like I said, I was --

11 SERGEANT PALKOVIC: But the container,  
12 you do recognize?

13 MR. MORALES: Yeah. The container, I do  
14 recognize.

15 SERGEANT PALKOVIC: All right. Cool.

16 MR. MORALES: Yeah.

17 SERGEANT PALKOVIC: Okay. That's it.

18 (END OF RECORDING)  
19  
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21  
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## 1 CERTIFICATE OF TRANSCRIPTIONIST

2 I certify that the foregoing is a true  
3 and accurate transcript of the digital recording  
4 provided to me in this matter.

5 I do further certify that I am neither a  
6 relative, nor employee, nor attorney of any of the  
7 parties to this action, and that I am not  
8 financially interested in the action.

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17 Julie Thompson, CET-1036  
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## TRANSCRIPT OF INTERVIEW

Redacted

BY SERGEANT DAN PALKOVIC

APRIL 30 , 2013

1 (FILE 070217\_005)

2 SERGEANT PALKOVIC: All right. I'm  
3 sitting here with Redacted . This is an  
4 interview on 4/30/2013 at 12:24 regarding the  
5 incident on 4/11.

6 Redacted could you please tell me what  
7 happened when you came to school, and then the  
8 whole transition over there, and then everything  
9 when it came up to the office?

10 Redacted All right. I came to  
11 school, and then parked in -- back there, the dirt  
12 parking lot. And then Redacted came to my car. We  
13 were just hanging out, like hanging out before  
14 school. And then -- crap, now I can't remember if  
15 Redacted came first or Redacted came first. But one of  
16 them came, and then the next one came. And then,  
17 yeah. I let -- I remember I let Redacted use my pipe  
18 in the car. And then -- who came? Then Redacted  
19 came, I believe and then after that was Redacted

20 And then after that, Coach Taylor came  
21 around the corner. And then they did the whole  
22 call the police and Morales over. And then they  
23 came and sat -- they checked us, and they checked  
24 the car and stuff, and then sat us down, and then  
25 took us all over to the office. And then we all

1 sat in the office, and we were all questioned, and  
2 then up to the VP. And then our parents came, and  
3 then we went home.

4 SERGEANT PALKOVIC: Okay. Now I'm going  
5 to break it down a little bit more --

6 Redacted All right.

7 SERGEANT PALKOVIC: -- because there's  
8 just -- there's a lot of little details that I  
9 want to make sure we cover.

10 Redacted All right.

11 SERGEANT PALKOVIC: You are the owner of  
12 the car?

13 Redacted Yes.

14 SERGEANT PALKOVIC: And you parked over  
15 there in the dirt lot by some metal storage  
16 containers?

17 Redacted Yes.

18 SERGEANT PALKOVIC: I'm not sure  
19 exactly --

20 Redacted Carbon containers. Yes.

21 SERGEANT PALKOVIC: Okay. And you came  
22 to school by yourself?

23 Redacted Yeah.

24 SERGEANT PALKOVIC: And then all your  
25 friends came over?

1                   Redacted                   Yeah.

2                   SERGEANT PALKOVIC: Did they -- did you  
3 send out a text, said, hey, just come on over and  
4 smoke out? Or --

5                   Redacted                   No.

6                   SERGEANT PALKOVIC: -- is it just a place  
7 where everybody meets?

8                   Redacted                   That's just where we hang  
9 out because that's the -- that's where the seniors  
10 park. They park there every year. So --

11                   SERGEANT PALKOVIC: Okay. So it's just a  
12 normal thing every day?

13                   Redacted                   Yeah. But we haven't been  
14 able to park there like all year because of the  
15 construction and stuff. But then like now that  
16 the construction was gone and stuff, we figured we  
17 could start parking there again.

18                   SERGEANT PALKOVIC: Okay.

19                   Redacted                   So we started doing that.

20                   SERGEANT PALKOVIC: So do you always keep  
21 a pipe in your car?

22                   Redacted                   Yeah. I keep -- I had it in  
23 my car.

24                   SERGEANT PALKOVIC: All right.

25                   Redacted                   Uh-huh (affirmative).

1                   SERGEANT PALKOVIC: And then your friend  
2 comes over -- I think you said Redacted

3                   Redacted                   Yeah.

4                   SERGEANT PALKOVIC: Was Redacted the one who  
5 had the weed?

6                   Redacted                   Yeah.

7                   SERGEANT PALKOVIC: So he comes over,  
8 says hi to you. It's the morning.

9                   Redacted                   Yeah.

10                  SERGEANT PALKOVIC: Does he say, hey, I  
11 got some bud on me?

12                  Redacted                   Well, he just asked if he  
13 could use my pipe.

14                  SERGEANT PALKOVIC: And you obviously  
15 know what for?

16                  Redacted                   Yeah.

17                  SERGEANT PALKOVIC: So he gets in the  
18 car?

19                  Redacted                   Yeah. He was in the back  
20 seat.

21                  SERGEANT PALKOVIC: He gets the pipe, and  
22 he starts smoking out, and then some other friends  
23 come over?

24                  Redacted                   Yeah.

25                  SERGEANT PALKOVIC: They get in the car?

1                   Redacted                   Well, sitting in the car was  
2 me, Redacted Redacted and Redacted And then --

3                   SERGEANT PALKOVIC: Okay. So there's  
4 four of you in the car?

5                   Redacted                   Yeah.

6                   SERGEANT PALKOVIC: So you guys are  
7 smoking out. Did you have your window up or down?

8                   Redacted                   We had our windows down.  
9 But not all of us were smoking. Only Redacted was  
10 smoking because we just -- it's the morning time;  
11 we're going to school.

12                  SERGEANT PALKOVIC: Okay. That's fine.  
13 So you're in the car. Then do some more people  
14 come over and hang out?

15                  Redacted                   Yeah. Redacted and Redacted  
16 Redacted phonetic).

17                  SERGEANT PALKOVIC: So they come over.  
18 They're hanging out.

19                  Redacted                   Uh-huh (affirmative).

20                  SERGEANT PALKOVIC: They're just  
21 chilling.

22                  Redacted                   Yeah.

23                  SERGEANT PALKOVIC: And then, out of  
24 nowhere, Coach Taylor comes up?

25                  Redacted                   Yeah.



1           SERGEANT PALKOVIC: All right. So when  
2 Coach Taylor comes up, what happened then? Did he  
3 say, everybody get out of the car? Everybody stay  
4 in the car?

5           Redacted           He was just like, "What's  
6 going on?" And when we're like, "We are -- we're  
7 about to -- like we're on our way out the car  
8 anyway. We're about to go to class." And then --

9           SERGEANT PALKOVIC: So you roll the  
10 windows up?

11          Redacted           Yeah. Roll the windows up  
12 and get like the window --

13          SERGEANT PALKOVIC: Lock the doors?  
14 Everybody gets out?

15          Redacted           Yeah. And then --

16          SERGEANT PALKOVIC: And then Coach is  
17 like, "No. You guys hang out here"?

18          Redacted           Yeah. And then after that,  
19 he called Morales. And then Morales and the  
20 police officer came. And then Ann came, and then  
21 Coach Blevins. And then --

22          SERGEANT PALKOVIC: Like everybody came  
23 then?

24          Redacted           Yeah. And --

25          SERGEANT PALKOVIC: So when the security

1 and the cop showed up --

2 Redacted Yeah.

3 SERGEANT PALKOVIC: -- and the police  
4 officer showed up, what happened from there?

5 Redacted They had us empty all our  
6 pockets. They patted us down real quick. And  
7 then one of the adults checked my car. And  
8 then --

9 SERGEANT PALKOVIC: One of the adults?

10 Redacted Yeah.

11 SERGEANT PALKOVIC: Who?

12 Redacted I don't remember which one.

13 SERGEANT PALKOVIC: So let me -- let me  
14 back up a little bit.

15 Redacted All right.

16 SERGEANT PALKOVIC: When you say "They  
17 had us empty our pockets" --

18 Redacted Uh-huh (affirmative).

19 SERGEANT PALKOVIC: -- who had you empty  
20 your pockets?

21 Redacted Either -- we emptied our  
22 pockets right in front of Ann.

23 SERGEANT PALKOVIC: Ann Marie?

24 Redacted Uh-huh (affirmative). And  
25 then --

1 SERGEANT PALKOVIC: Okay.

2 Redacted And then -- but I think it  
3 was a police officer that had us do it. But --  
4 and he was like watching us.

5 SERGEANT PALKOVIC: Okay. Did anybody  
6 physically search you, like go into your pockets  
7 and --

8 Redacted No.

9 SERGEANT PALKOVIC: -- check you out or  
10 anything?

11 Redacted No.

12 SERGEANT PALKOVIC: It was just --

13 Redacted And they made us --

14 SERGEANT PALKOVIC: -- empty your pockets  
15 out?

16 Redacted We kind of like pulled our  
17 pockets out and like showed that they were --

18 SERGEANT PALKOVIC: It was more of a  
19 visual?

20 Redacted Yeah.

21 SERGEANT PALKOVIC: Just let you --  
22 looked and said, okay, it's empty. All right. So  
23 then, once you emptied everything out and you were  
24 checked, what did you do?

25 Redacted We all had to sit down on

1 the -- on the log back there. There's a log --  
2 sat us all down until they were ready to bring us  
3 into the office.

4 SERGEANT PALKOVIC: Were there any drugs  
5 or paraphernalia found when you guys were emptying  
6 your pockets?

7 Redacted Yeah. Redacted -- Redacted had  
8 a --

9 SERGEANT PALKOVIC: Redacted had what?

10 Redacted He had a -- he had -- he had  
11 bud, and I think he had a container.

12 SERGEANT PALKOVIC: Okay.

13 Redacted He had a container.

14 SERGEANT PALKOVIC: So where was your  
15 pipe? Was it left in the car?

16 Redacted Yeah. It was -- it was in  
17 the back seat somewhere.

18 (Phone rings)

19 SERGEANT PALKOVIC: (To Redacted Hold  
20 on just a second.

21 (To caller) Hey, I'm in an interview  
22 again. I'm in an interview right now. Can I call  
23 you back? All right. Bye.

24 (To Redacted I'm sorry about that.

25 Redacted That's okay.

1                   SERGEANT PALKOVIC:   Okay.   So where was  
2   your pipe?

3                   Redacted                   It was in the back seat  
4   somewhere.

5                   SERGEANT PALKOVIC:   So when you locked it  
6   up, you left it in -- or Redacted left it in the back  
7   seat?

8                   SERGEANT PALKOVIC:   Yeah.

9                   Redacted                   And then --

10                  SERGEANT PALKOVIC:   So -- go ahead.

11                  Redacted                   Oh, okay.   No, no, no.   I  
12   remember it was Coach -- Coach Blevins checked the  
13   car, because he asked me to open it, and I opened  
14   it for him.

15                  SERGEANT PALKOVIC:   So you needed a key  
16   to open it, right?

17                  Redacted                   Yeah.

18                  SERGEANT PALKOVIC:   So you get up from  
19   the log, go over there, and open it?

20                  Redacted                   When I was waiting to get  
21   checked, while we were waiting to empty my pockets  
22   and stuff, that's when Coach Blevins had me open  
23   the door.

24                  SERGEANT PALKOVIC:   All right.   He goes  
25   -- he searches your car, and he finds the pipe?

1                   Redacted                   Uh-huh (affirmative).

2                   SERGEANT PALKOVIC:   And then he does what  
3 with the pipe?

4                   Redacted                   He hands it over to the  
5 police officer.

6                   SERGEANT PALKOVIC:   He hands it to the  
7 police officer.

8                   Redacted                   Yeah.

9                   SERGEANT PALKOVIC:   The drugs that were  
10 found on Redacted   what happened to those?

11                   Redacted                   Gave them to the police  
12 officer.

13                   SERGEANT PALKOVIC:   Right there,  
14 everybody gave everything to the police officer?

15                   Redacted                   Or -- everything was left on  
16 the chair of the golf cart, actually.

17                   SERGEANT PALKOVIC:   Okay.

18                   Redacted                   Yeah.   I'm sorry.   It's kind  
19 of like foggy.

20                   SERGEANT PALKOVIC:   No.   That's fine.  
21 That's fine.   So then, when you guys are all done  
22 getting checked, you're sitting on the log.

23                   Redacted                   Uh-huh (affirmative).

24                   SERGEANT PALKOVIC:   Then did everybody  
25 get kind of like escorted up to the office from

1       there?

2               Redacted               Yeah.    We all -- they  
3 followed us in the golf cart, and they walked next  
4 to us, and we all walked into the room.

5               SERGEANT PALKOVIC:   So then, up here,  
6 everybody kind of went to their own individual  
7 vice principal and got dealt with?

8               Redacted               I'm not sure like if we went  
9 to our own vice principals.   I went to my vice  
10 principal.   But, yeah.   They brought us in here,  
11 and then they had us sit at all different tables  
12 and write down our testimonies or --

13              SERGEANT PALKOVIC:   So you wrote down  
14 your statement --

15              Redacted               Statement.

16              SERGEANT PALKOVIC:   -- basically.

17              Redacted               I guess that's what it's  
18 called.

19              SERGEANT PALKOVIC:   Did you ever get  
20 brought into here and told you were under arrest?

21              Redacted               Yes.

22              SERGEANT PALKOVIC:   You did?

23              Redacted               Yeah.

24              SERGEANT PALKOVIC:   So you were brought  
25 in here, and the officer said you were under

1 arrest for --

2 Redacted Possession of a pipe.

3 SERGEANT PALKOVIC: Possession of a pipe?

4 Redacted Yeah.

5 SERGEANT PALKOVIC: Okay. Did you ever  
6 get -- did -- and that was it, as far as you know?

7 Redacted Well, he like -- he let me  
8 know, like, oh, I'm going to -- I'm not going to  
9 put you in handcuffs. I'm just -- I'm writing --  
10 you know, filling out my paperwork. And then he  
11 read me my rights.

12 SERGEANT PALKOVIC: He did read your  
13 rights?

14 Redacted Yes.

15 SERGEANT PALKOVIC: Did you want to talk  
16 to him? When he asked if you wanted to talk to  
17 him, did you say yes or no?

18 Redacted I'm not sure what --

19 SERGEANT PALKOVIC: You know what your  
20 rights are, right?

21 Redacted Oh.

22 SERGEANT PALKOVIC: You have the right to  
23 remain silent --

24 Redacted Uh-huh (affirmative).

25 SERGEANT PALKOVIC: -- things like that?



1                   Redacted                   Uh-huh (affirmative).

2                   SERGEANT PALKOVIC:   Do you remember him  
3 asking you, "Do you understand the rights that he  
4 read you?"

5                   Redacted                   Yeah.

6                   SERGEANT PALKOVIC:   And you answered?

7                   Redacted                   "Yes."

8                   SERGEANT PALKOVIC:   And the next question  
9 is: "Do you want to talk to me about the  
10 incident?"

11                  Redacted                   Oh, do I want to like tell  
12 him what happened and what's --

13                  SERGEANT PALKOVIC:   Yeah.

14                  Redacted                   Yeah, I did.

15                  SERGEANT PALKOVIC:   You told him?

16                  Redacted                   Yes.

17                  SERGEANT PALKOVIC:   Okay. All right. So  
18 then you went to your vice principal, and you got  
19 suspended, you went home?

20                  Redacted                   Yeah.

21                  SERGEANT PALKOVIC:   Is that pretty much  
22 it?

23                  Redacted                   Yeah.

24                  SERGEANT PALKOVIC:   How many days were  
25 you suspended?

1                   Redacted                   Three.

2                   SERGEANT PALKOVIC: Did you learn a  
3 lesson?

4                   Redacted                   Yeah. I mean, I'm getting  
5 in a lot of trouble this semester.

6                   SERGEANT PALKOVIC: Why?

7                   Redacted                   I'm just being dumb, I  
8 guess. I'm not trying to get in trouble, but --

9                   SERGEANT PALKOVIC: You're being a  
10 17-year-old boy.

11                  Redacted                   Yeah.

12                  SERGEANT PALKOVIC: Hey, if I showed you  
13 a picture of your pipe -- can you describe your  
14 pipe for me?

15                  Redacted                   Yeah. It's a -- it's blue,  
16 and it had -- it kind of like swirls around. It  
17 has a clear swirl around it. It's probably about  
18 this big.

19                  SERGEANT PALKOVIC: And so if I show you  
20 a picture, you can identify it as your pipe?

21                  Redacted                   Yeah.

22                  SERGEANT PALKOVIC: How about the  
23 container that had the marijuana in it? What did  
24 that look like or --

25                  Redacted                   I couldn't tell you what

1 that looked like.

2 SERGEANT PALKOVIC: Was it a plastic bag?  
3 Was it like a prescription bottle? Was it --

4 Redacted I don't -- I don't know. I  
5 didn't see the container. I just -- he had told  
6 me he had bud, and he wanted --

7 SERGEANT PALKOVIC: Oh, okay. So you  
8 never actually saw it?

9 Redacted Yeah.

10 SERGEANT PALKOVIC: All right. Is that  
11 your pipe?

12 Redacted Yeah. That's my pipe.

13 SERGEANT PALKOVIC: And that was the one  
14 that you brought?

15 Redacted This one. Yeah.

16 SERGEANT PALKOVIC: Okay. And you don't  
17 recognize the marijuana container?

18 Redacted No.

19 SERGEANT PALKOVIC: All right. Perfect.  
20 Okay. Thank you, sir.

21 Redacted Do I get --

22 (END OF RECORDING)  
23  
24  
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## 1 CERTIFICATE OF TRANSCRIPTIONIST

2 I certify that the foregoing is a true  
3 and accurate transcript of the digital recording  
4 provided to me in this matter.

5 I do further certify that I am neither a  
6 relative, nor employee, nor attorney of any of the  
7 parties to this action, and that I am not  
8 financially interested in the action.

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17 Julie Thompson, CET-1036  
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10 TRANSCRIPT OF INTERVIEW  
11 FRANCISCA DEL CARMEN  
12 BY SERGEANT DAN PALKOVIC  
13 APRIL 30 , 2013  
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1 (FILE 070217\_003)

2 SERGEANT PALKOVIC: This interview is for  
3 Frannie Del Carmen. You go by Del Carmen?

4 MS. DEL CARMEN: Yeah. My full name is  
5 Francisca.

6 SERGEANT PALKOVIC: Francisca, okay. On  
7 4/30/2013 at 11:09. This is in regards to an  
8 April 11th incident in the parking lot at -- dirt  
9 parking lot at Mira Mesa High School.

10 MS. DEL CARMEN: Okay.

11 SERGEANT PALKOVIC: Could you please tell  
12 me your involvement of the whole entire thing from  
13 start to finish?

14 MS. DEL CARMEN: Okay. So my  
15 involvement, I would say, didn't officially begin  
16 until 7:45 in the morning approximately. But  
17 right before that I got a call from security that  
18 indicated that they were bringing over  
19 approximately seven individuals in regards to a  
20 marijuana case on our campus. So I heard that, I  
21 would say, about 7:25, and at that time I was here  
22 by myself in terms of admin. And then I want to  
23 say shortly thereafter, my other VP was involved  
24 in a parent conference, and the other one was  
25 dealing with another situation. So I was waiting

1 for our officer to come over and fill me in on the  
2 status.

3 SERGEANT PALKOVIC: How did you find out  
4 about the whole thing?

5 MS. DEL CARMEN: I got that first call,  
6 that first call saying we're bringing these kids  
7 over.

8 SERGEANT PALKOVIC: So you didn't hear  
9 the call beforehand about kids smoking weed or  
10 anything in the parking lot?

11 MS. DEL CARMEN: No. I did not hear the  
12 radio call.

13 SERGEANT PALKOVIC: Okay.

14 MS. DEL CARMEN: No.

15 SERGEANT PALKOVIC: So then when they  
16 brought all the kids up --

17 MS. DEL CARMEN: Uh-huh (affirmative).

18 SERGEANT PALKOVIC: -- then what took  
19 place from there? What happened from there?

20 MS. DEL CARMEN: So at that point I was  
21 trying to get a status feel of what was going on,  
22 and I saw that they were all being taken to one  
23 location in the counseling area. So at that point  
24 I intervened and told them each to take a table  
25 and started handing out the witness -- well,

1 declaration statements for each one to fill out  
2 individually.

3 SERGEANT PALKOVIC: And you have all  
4 those?

5 MS. DEL CARMEN: I want to say I have  
6 some, and the other VPs have some.

7 SERGEANT PALKOVIC: Okay, perfect.

8 MS. DEL CARMEN: Yeah.

9 SERGEANT PALKOVIC: Did you -- you  
10 conducted your own individual interviews for the  
11 students that were yours, correct?

12 MS. DEL CARMEN: Correct.

13 SERGEANT PALKOVIC: Did you search  
14 anybody?

15 MS. DEL CARMEN: No.

16 SERGEANT PALKOVIC: Was anything found  
17 out there that was brought to your attention?

18 MS. DEL CARMEN: Yes.

19 SERGEANT PALKOVIC: What?

20 MS. DEL CARMEN: I was told -- I didn't  
21 -- the only physical items I saw --

22 UNIDENTIFIED FEMALE: Can I come in?

23 SERGEANT PALKOVIC: Hold on.

24 MS. DEL CARMEN: The only physical item I  
25 saw was the -- I want to say a blue pipe, the



1 glass pipe one, a funky lighter, and then I saw a  
2 container that they told me, "This is where the  
3 weed is in." I didn't personally see the weed.

4 SERGEANT PALKOVIC: So you saw a  
5 container, but you didn't open it?

6 MS. DEL CARMEN: Correct.

7 SERGEANT PALKOVIC: What -- was there any  
8 description about the container that you can  
9 remember?

10 MS. DEL CARMEN: Gosh, I want to say it  
11 was like -- like the small Vaseline bottles, like  
12 round. I thought it was purple, but I can't  
13 remember officially the color.

14 SERGEANT PALKOVIC: And do you know where  
15 all that went?

16 MS. DEL CARMEN: At that time it was  
17 sitting on the police officer's desk. That's when  
18 I saw it.

19 SERGEANT PALKOVIC: Okay. So your  
20 officer had --

21 MS. DEL CARMEN: Correct.

22 SERGEANT PALKOVIC: -- possession of all  
23 that?

24 MS. DEL CARMEN: Correct.

25 SERGEANT PALKOVIC: And then you just

1     went about your business? You did your  
2     interviews. And then how many kids ended up being  
3     suspended and for what?

4             MS. DEL CARMEN: Four of them ended up  
5     being suspended. After we consulted with each  
6     other in regards to our interviews, we found that  
7     four of those kids were inside the vehicle. One  
8     of them reported that -- which was on the vehicle  
9     -- that the kids had been hot-boxing. But none of  
10    the kids claim that they had done that on campus.

11            But I can tell you two of them were --  
12    one of them was for possession -- well, both of  
13    them were for possession or paraphernalia. And  
14    then the other two were for being inside the  
15    vehicle that deemed kids were, indeed, hot-boxing  
16    in.

17            SERGEANT PALKOVIC: Do you -- because you  
18    weren't there, this is going to have to be told to  
19    you.

20            MS. DEL CARMEN: Uh-huh (affirmative).

21            SERGEANT PALKOVIC: Did anybody tell you  
22    that the items were found in the vehicle, or they  
23    were found on the kids' persons?

24            MS. DEL CARMEN: I was told both.

25            SERGEANT PALKOVIC: Both.

1 MS. DEL CARMEN: I was told that some of  
2 the items were on the backseat of the vehicle.

3 SERGEANT PALKOVIC: Which were what  
4 items?

5 MS. DEL CARMEN: The glass pipe.

6 SERGEANT PALKOVIC: Okay.

7 MS. DEL CARMEN: And the lighter. And  
8 one kid attested to that, saying those were his.  
9 And then the weed was on the other kid, I assumed.

10 SERGEANT PALKOVIC: And do you know who  
11 found these items?

12 MS. DEL CARMEN: I don't know. I would  
13 say our police officer.

14 SERGEANT PALKOVIC: But you don't know  
15 for sure?

16 MS. DEL CARMEN: No.

17 SERGEANT PALKOVIC: Okay. If I showed  
18 you a picture of the items, would you be able to  
19 recognize them you think?

20 MS. DEL CARMEN: Yeah. Yes.

21 SERGEANT PALKOVIC: Yes on? It's just on  
22 the front page.

23 MS. DEL CARMEN: Yes on this one.

24 SERGEANT PALKOVIC: Just on the front  
25 page.

1 MS. DEL CARMEN: But that's not the glass  
2 pipe I saw.

3 SERGEANT PALKOVIC: Those are something  
4 different.

5 MS. DEL CARMEN: Okay. That's not --

6 SERGEANT PALKOVIC: So you don't know  
7 about the glass pipe, but yes on the container?

8 MS. DEL CARMEN: Yes.

9 SERGEANT PALKOVIC: And that was it?  
10 Okay.

11 MS. DEL CARMEN: Yeah. Well, the other  
12 thing I did -- I'm not sure if you -- but I took  
13 all seven to the nurse for assessment.

14 SERGEANT PALKOVIC: Okay, good. And then  
15 she figured out they were all or some were under  
16 --

17 MS. DEL CARMEN: Correct. And she gave  
18 us her best assessment.

19 SERGEANT PALKOVIC: Do you know what, if  
20 anything, your officer did?

21 MS. DEL CARMEN: I would assume that he's  
22 the one that found the items.

23 SERGEANT PALKOVIC: No. With the kids I  
24 mean. Do you know if he arrested anybody, or if  
25 he did any reports or anything?

1 MS. DEL CARMEN: We got the numbers, but  
2 I didn't know further details.

3 SERGEANT PALKOVIC: So no -- you didn't  
4 talk to any kids, if they were arrested or not?

5 MS. DEL CARMEN: No. Those weren't the  
6 ones I -- I had.

7 SERGEANT PALKOVIC: Okay. Okay. Thank  
8 you.

9 MS. DEL CARMEN: You're welcome.

10 (END OF RECORDING)

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17 Julie Thompson, CET-1036  
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10                   TRANSCRIPT OF INTERVIEW  
11                                 JOHN TAYLOR  
12                 BY SERGEANT DAN PALKOVIC  
13                                 APRIL 30 , 2013  
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1 (FILE 070217\_004)

2 SERGEANT PALKOVIC: Okay. I'm in an  
3 interview with John Taylor, who is a coach here at  
4 Mira Mesa High School, and we are discussing the  
5 incident on 4/11/2013. So, Coach, if you could do  
6 me the honors of telling me the entire story to  
7 the best of your recollection, please.

8 MR. TAYLOR: All right. Well, I pulled  
9 up before school in the dirt parking lot, and I  
10 saw cars parked along that back row as I parked in  
11 the dirt parking lot across from the football  
12 weight room and the auto -- the auto shop is. And  
13 as I was going to get out of the car, I was  
14 picking up a few things, you know, computer, keys,  
15 coffee, that type of a thing, and I saw one of the  
16 kids that we kicked off the football team, Redacted  
17 Redacted walking toward me down -- toward -- towards  
18 the campus. And I saw him make a right-hand turn  
19 and go to the back of the parking lot, which I  
20 thought was very odd.

21 And -- so when I got out of my car, I  
22 made a mental note of that, that it was strange  
23 that he would be walking in that direction when  
24 everybody should be walking onto campus a few  
25 minutes before the bell rings. Coach Blevins was



1 talking to a parent from the team, a parent of one  
2 of our players, and I went over there. I was  
3 talking to her as well, and I saw a second kid  
4 that we had kicked of the football team, which was

5 Redacted .

6 (Phone rings)

7 SERGEANT PALKOVIC: Sorry.

8 MR. TAYLOR: That's all right.

9 He walked in that same direction. Now,  
10 we had kicked Redacted off for drugs, and I saw  
11 Redacted which -- I saw Redacted walk in that  
12 direction, and it wasn't very hard to put two and  
13 two together. So I excused myself from the  
14 conversation, and I walked over there to see what  
15 was going on.

16 And I walked up on -- the car was parked  
17 behind a container that was left over from a  
18 construction site.

19 SERGEANT PALKOVIC: Well, let me  
20 interrupt you. I'm sorry.

21 (To person on phone) Sam, I'm in an  
22 interview right now. Can I call him back when I'm  
23 done?

24 (To Mr. Taylor) Sorry about that.

25 MR. TAYLOR: That's quite all right.

1 SERGEANT PALKOVIC: Okay. Continue.

2 MR. TAYLOR: Okay. So I walked up to the  
3 container, and stepped around the corner and said,  
4 "What's going on here?" But as soon as I stepped  
5 around the corner, I mean, I was -- you could  
6 completely smell marijuana in the air. They were  
7 smoking marijuana right there.

8 And there was -- the driver was still in  
9 the car, Redacted, and there were three people  
10 in the back. And there was a -- somebody in the  
11 front passenger seat, and two other kids were  
12 outside the car. So there were seven total.

13 And I remember Redacted was -- Redacted  
14 Redacted was outside the car, and there was one  
15 other kid that I didn't know. He was Asian, Asian  
16 student that I didn't know. And I saw Redacted  
17 get out of the car. Redacted got out of the  
18 car. Redacted was sitting in the backseat as  
19 well. He got out of the car. They all piled out  
20 of the car, and acted like they were going to go  
21 to class. And I said, "No. You guys aren't going  
22 anywhere." And I called Coach Morales on his cell  
23 phone.

24 SERGEANT PALKOVIC: So then -- so all the  
25 kids got out or just the five kids, and there was

1 two left?

2 MR. TAYLOR: There were -- there were two  
3 kids that were already out of the car. There were  
4 five who were in the car.

5 SERGEANT PALKOVIC: So all five got out?

6 MR. TAYLOR: They all got out.

7 SERGEANT PALKOVIC: Okay. Four-door or  
8 two-door?

9 MR. TAYLOR: Four-door I believe.

10 SERGEANT PALKOVIC: All right.

11 MR. TAYLOR: I can't remember the  
12 difference.

13 SERGEANT PALKOVIC: Okay. So then you  
14 call Coach Morales, and then he sends over  
15 security?

16 MR. TAYLOR: He came over, and Officer  
17 Gonzalez and Ann Marie came over.

18 SERGEANT PALKOVIC: So they all show up?

19 MR. TAYLOR: They all -- they all showed  
20 up.

21 SERGEANT PALKOVIC: And then what  
22 happened from there?

23 MR. TAYLOR: They started questioning  
24 them, and then I went back to --

25 SERGEANT PALKOVIC: Oh, so you didn't

1 hang out for the whole thing?

2 MR. TAYLOR: Not for the whole thing.

3 SERGEANT PALKOVIC: Okay. Okay. Okay.

4 MR. TAYLOR: Because I needed to get to  
5 the locker room.

6 SERGEANT PALKOVIC: So do you know -- was  
7 there any drugs found, any paraphernalia found?  
8 Do you know that?

9 MR. TAYLOR: I think there was.

10 SERGEANT PALKOVIC: But you weren't  
11 present if it was found?

12 MR. TAYLOR: Yeah. I believe -- I  
13 believe there was, but I wasn't there when --

14 SERGEANT PALKOVIC: Okay.

15 MR. TAYLOR: -- through the entire event.

16 SERGEANT PALKOVIC: And then -- so you  
17 went back to probably the gym area?

18 MR. TAYLOR: Yes.

19 SERGEANT PALKOVIC: And then they just  
20 did their thing, and then they took them all to  
21 the office?

22 MR. TAYLOR: Right.

23 SERGEANT PALKOVIC: Okay.

24 MR. TAYLOR: And then I came back, and I  
25 wrote up my statement.

1           SERGEANT PALKOVIC: All right. Perfect.  
2       So you never saw any drugs. You never saw any  
3       paraphernalia. You just smelled the --

4           MR. TAYLOR: I smelled it. I don't -- I  
5       don't remember -- I mean, I did not see anyone  
6       smoking it.

7           SERGEANT PALKOVIC: Was it coming from  
8       the car or coming from the kids standing outside  
9       the car?

10          MR. TAYLOR: Coming from the car.

11          SERGEANT PALKOVIC: And the windows were  
12       down?

13          MR. TAYLOR: I believe the front windows  
14       were down.

15          SERGEANT PALKOVIC: Okay. Do you know  
16       whose car it was?

17          MR. TAYLOR: It was Redacted car.

18          SERGEANT PALKOVIC: And was this a white  
19       color car?

20          MR. TAYLOR: Yes.

21          SERGEANT PALKOVIC: Okay. So you didn't  
22       see the car pull up originally?

23          MR. TAYLOR: No.

24          SERGEANT PALKOVIC: You just saw the kids  
25       walking over there?

1           MR. TAYLOR: I saw the kids walking over  
2 there.

3           SERGEANT PALKOVIC: So it was already  
4 parked over there, okay.

5           MR. TAYLOR: Right.

6           SERGEANT PALKOVIC: Perfect. All right,  
7 sir. You got any questions for me?

8           MR. TAYLOR: Nope.

9           (END OF RECORDING)

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17 Julie Thompson, CET-1036  
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TRANSCRIPT OF INTERVIEW

Redacted

BY SERGEANT DAN PALKOVIC

APRIL 30 , 2013



1 (FILE 070217\_006)

2 SERGEANT PALKOVIC: Okay. This interview  
3 is with Redacted on 4/30/2013. And this is in  
4 regards to the April 11th incident.

5 Can you please tell me, from the  
6 beginning, like when you got to school --

7 Redacted Uh-huh (affirmative).

8 SERGEANT PALKOVIC: -- what -- everything  
9 that happened, and then once you guys came up to  
10 the office?

11 Redacted I got dropped off from my  
12 mom at like 7:15 or so, and then I walked to the  
13 -- where the cars were. And they had just pulled  
14 up, and so I sat in the car with them. And  
15 probably like no more than two minutes, Coach  
16 Taylor walked up and was -- he smelled it,  
17 obviously, and -- because the windows were down,  
18 so the smoke was seeping out.

19 And so, I mean, he just didn't let anyone  
20 leave. He said, "Everyone stay here." He called  
21 all the school police and security. And they just  
22 had us -- they just came, and the first thing they  
23 did was like just check our like pockets and stuff  
24 like that, smell our fingers. And then they --  
25 after that, they just sat us down until the --

1 until the actual school police came, because he  
2 didn't come at first. At first, we just were all  
3 of us and Ann. And that's it. Then they just --  
4 they were talking to us, and we had to walk all  
5 together to the office.

6 SERGEANT PALKOVIC: Okay. I'm going to  
7 go back a little bit --

8 Redacted Okay.

9 SERGEANT PALKOVIC: -- from the  
10 beginning, kind of break it down a little bit  
11 more --

12 Redacted Yeah.

13 SERGEANT PALKOVIC: -- so I can kind of  
14 clarify things.

15 Redacted Okay.

16 SERGEANT PALKOVIC: You get dropped off,  
17 and you said you walked over to the car.

18 Redacted Uh-huh (affirmative).

19 SERGEANT PALKOVIC: Whose car was it?

20 Redacted Redacted .

21 SERGEANT PALKOVIC: And does he always  
22 park there?

23 Redacted Yeah, he was. But he  
24 doesn't park there anymore.

25 SERGEANT PALKOVIC: And that's on the

1 other side, by the Taco Bell, by those --

2 Redacted Yeah.

3 SERGEANT PALKOVIC: -- metal storage  
4 containers?

5 Redacted Yeah.

6 SERGEANT PALKOVIC: Okay. So then you  
7 got into the car, all right?

8 Redacted Yeah. I got in.

9 SERGEANT PALKOVIC: With some other  
10 students?

11 Redacted Yeah.

12 SERGEANT PALKOVIC: And then somebody  
13 broke out some weed, and they started smoking?

14 Redacted No. It was already -- been  
15 smoked.

16 SERGEANT PALKOVIC: Oh, so when you got  
17 in, they were already smoking it? Or --

18 Redacted They were -- it was done.

19 SERGEANT PALKOVIC: It was over?

20 Redacted Yeah. But they had the  
21 windows down. Or they had the windows up, and  
22 then by the time I got there, they had barely put  
23 the windows down, barely.

24 SERGEANT PALKOVIC: So it was like Cheech  
25 and Chong, then.

1                   Redacted                   Yeah.

2                   SERGEANT PALKOVIC:   Smoke was just  
3 billowing out?

4                   Redacted                   Yeah.

5                   SERGEANT PALKOVIC:   Okay.   So why'd you  
6 get in the car, then?

7                   Redacted                   I shouldn't have.   I mean,  
8 that's what I -- my mistake definitely was.

9                   SERGEANT PALKOVIC:   So you get in the  
10 car.   They rolled the windows down.   Or they  
11 rolled them down before you got in?

12                  Redacted                   Yeah.

13                  SERGEANT PALKOVIC:   But it was so fresh  
14 and so new --

15                  Redacted                   Yeah.

16                  SERGEANT PALKOVIC:   -- that it just was  
17 everywhere?

18                  Redacted                   Yeah.   I mean, it wasn't as  
19 thick as I think you think it was, but it -- you  
20 could smell it, definitely.

21                  SERGEANT PALKOVIC:   Right.   It was  
22 definitely strong?

23                  Redacted                   Yeah.

24                  SERGEANT PALKOVIC:   So then, you said  
25 Coach Taylor came?

1                   Redacted                   Coach Taylor came, because I  
2                   guess he saw people walking up, because there was  
3                   people in the car, and then there was -- like a --  
4                   there was a couple cars parked over there. Some  
5                   people were just hanging out over there --

6                   SERGEANT PALKOVIC:   Okay.

7                   Redacted                   -- before school, because it  
8                   was before school.

9                   SERGEANT PALKOVIC:   When Coach Taylor  
10                  came, did everybody stay in the car, or did you  
11                  guys all get out?

12                  Redacted                  He made everyone get out.

13                  SERGEANT PALKOVIC:   And then he called  
14                  for security?

15                  Redacted                  Yeah. He called -- yeah,  
16                  security.

17                  SERGEANT PALKOVIC:   So security. And  
18                  then a cop showed up.

19                  Redacted                  A cop showed up.

20                  SERGEANT PALKOVIC:   And then what -- did  
21                  you guys said that they searched you?

22                  Redacted                  They just made us empty our  
23                  pocket and -- yeah. They searched us.

24                  SERGEANT PALKOVIC:   All right. So who  
25                  patted you down?

1                   Redacted                   The officer.

2                   SERGEANT PALKOVIC:   He physically put his  
3 hands in your pockets and patted you down?

4                   Redacted                   No.   He just patted on top  
5 of -- he didn't put it inside.   He just said,  
6 "Take everything out."   And then I think he just  
7 made sure everything was out.

8                   SERGEANT PALKOVIC:   And then they had you  
9 guys go sit down somewhere?

10                  Redacted                  Just on the log.

11                  SERGEANT PALKOVIC:   There's a log right  
12 there.   Were there any drugs found in the vehicle?

13                  Redacted                  There was only a piece of a  
14 pipe.   And then --

15                  SERGEANT PALKOVIC:   A pipe was found  
16 where?

17                  Redacted                  In the vehicle.

18                  SERGEANT PALKOVIC:   Okay.

19                  Redacted                  And then there was a --  
20 there was only weed found on someone, but it  
21 wasn't in the car.   It was --

22                  SERGEANT PALKOVIC:   It wasn't in the car.

23                  Redacted                  -- in their pocket.

24                  SERGEANT PALKOVIC:   So the pipe was --

25                  Redacted                  Or it was --

1           SERGEANT PALKOVIC: Excuse me. The pipe  
2 was in the car; the weed was in the ground, or in  
3 somebody's pocket --

4           Redacted           Yeah.

5           SERGEANT PALKOVIC: -- or whatever?

6           Redacted           Yeah.

7           SERGEANT PALKOVIC: Do you know who found  
8 the pipe in the car?

9           Redacted           I think he gave it to him,  
10 because they said, "Is there anything in the car?"  
11 And then he grabbed it, and he said, "This."

12          SERGEANT PALKOVIC: Who's "he"?

13          Redacted           Redacted

14          SERGEANT PALKOVIC: Redacted gave it to who?

15          Redacted           I don't remember, because we  
16 were sitting at the log at that point. So --

17          SERGEANT PALKOVIC: And Redacted is -- no.

18 That's Redacted Oh, Redacted .

19          Redacted           Redacted .

20          SERGEANT PALKOVIC: Okay. So then, from  
21 there, from that incident, you guys all came up to  
22 the office?

23          Redacted           Uh-huh (affirmative).

24          SERGEANT PALKOVIC: And then what  
25 happened in the office?

1                   Redacted                   Oh, we just -- they  
2                   separated us, all the tables, and we sat there,  
3                   right. They gave us the report, and we had to  
4                   fill it out.

5                   SERGEANT PALKOVIC: And then you went and  
6                   saw your VP?

7                   Redacted                   Yeah.

8                   SERGEANT PALKOVIC: Did you --

9                   Redacted                   Well, no. We stayed -- they  
10                  took us to the nurse, actually --

11                  SERGEANT PALKOVIC: Oh, and got checked  
12                  out?

13                  Redacted                   -- to determine who -- what  
14                  they thought was under -- or who they thought was  
15                  under the influence.

16                  SERGEANT PALKOVIC: And I see that you  
17                  came back with drug test results.

18                  Redacted                   Yeah.

19                  SERGEANT PALKOVIC: Okay. So they  
20                  rescinded your suspension?

21                  Redacted                   Yeah.

22                  SERGEANT PALKOVIC: Did you ever get  
23                  called into here and interviewed by the officer?

24                  Redacted                   No, because -- I don't know  
25                  why. I think it was because I didn't have



1 anything on me, I'm guessing, because Redacted and  
2 Redacted were the only ones who got -- came in here.  
3 And they were the only people with stuff.

4 SERGEANT PALKOVIC: Okay.

5 Redacted Like Redacted had the pipe, and  
6 Redacted had the weed. So --

7 SERGEANT PALKOVIC: All right. Is there  
8 anything that you can think of other than what  
9 we've talked about that happened?

10 Redacted Just the nurse -- the nurse,  
11 but --

12 SERGEANT PALKOVIC: She was just checking  
13 your vitals?

14 Redacted Yeah. But I don't think it  
15 was very accurate, because like I was telling her  
16 like the whole time, and I -- and I was like --  
17 after she told me the reason why she came to the  
18 conclusion, I like researched it, and I was like,  
19 how does that even mean that? Like she was  
20 talking about the pupils, and I was like reading  
21 different articles saying different things, and I  
22 was like --

23 SERGEANT PALKOVIC: Dilated or  
24 constricted? What did --

25 Redacted Yeah.

1 SERGEANT PALKOVIC: What did she say?

2 Redacted She said mine were dilated.

3 SERGEANT PALKOVIC: Okay.

4 Redacted And then I was -- then I  
5 read some articles that said smoking weed makes --  
6 does make it, and then I also read some that said  
7 it doesn't make it.

8 SERGEANT PALKOVIC: You got to remember,  
9 it's all --

10 Redacted Yeah.

11 SERGEANT PALKOVIC: -- who writes the  
12 articles.

13 Redacted Yeah. I understand.

14 SERGEANT PALKOVIC: What we get trained  
15 on --

16 (END OF RECORDING)

17

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## 1 CERTIFICATE OF TRANSCRIPTIONIST

2 I certify that the foregoing is a true  
3 and accurate transcript of the digital recording  
4 provided to me in this matter.

5 I do further certify that I am neither a  
6 relative, nor employee, nor attorney of any of the  
7 parties to this action, and that I am not  
8 financially interested in the action.

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17 Julie Thompson, CET-1036  
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10                   TRANSCRIPT OF INTERVIEW  
11                   OFFICER ANTHONY GONZALEZ  
12           BY SERGEANT DAN PALKOVIC AND  
13                   SERGEANT TROY HOLIDAY  
14                               JUNE 7, 2013  
15  
16  
17  
18

19   ALSO PRESENT:

20   Susan Jerich, Attorney for Anthony Gonzalez  
21  
22  
23  
24  
25

Page 1

1 (FILE 130607\_000)

2 SERGEANT PALKOVIC: The date of this  
3 interview is June 7, 2013. The location of this  
4 interview is the situational room of the San Diego  
5 Unified School District Police Department. It is  
6 currently 1139 hours. Present in the room is  
7 myself, Sergeant Dan Palkovic; Sergeant Troy  
8 Holiday; Officer Anthony Gonzalez; and his  
9 attorney, Susan Jerich. Correct?

10 MS. JERICH: Correct.

11 SERGEANT PALKOVIC: My name is Sergeant  
12 Dan Palkovic. I will be conducting the interview.  
13 During this interview, I will be assisted by  
14 Sergeant Troy Holiday.

15 This interview is in reference to an  
16 internal affairs investigation regarding an  
17 incident that you, Officer Gonzalez, were involved  
18 in on April 11, 2013, at Mira Mesa High School.

19 The interview will focus on several  
20 General Order violations, but not be limited to  
21 only General Orders A-9.5(3), A-7, impound and  
22 disposal of drugs and narcotics; General Order  
23 A-9.5(3), A-9, impound and disposal of cans or  
24 bottles containing alcohol; General Order B-4.1,  
25 E-5, submitting reports in a timely manner. The

Page 2

1 interview may reveal other General Order  
2 violations as well.

3 This interview is being tape-recorded,  
4 and you are admonished that you are to answer all  
5 questions and -- asked of you completely and that  
6 all your answers are to be truthful. Knowingly  
7 making false or misleading statements during this  
8 interview will be considered a separate offense  
9 that could result in discipline up to and  
10 including termination. Do you understand this  
11 admonishment?

12 MS. JERICH: Yes.

13 OFFICER GONZALEZ: Yes.

14 SERGEANT PALKOVIC: At this time I will  
15 advise you of your Public Safety Officers Bill of  
16 Rights Act. You have the right to have a  
17 representative of your choice present during this  
18 interview, and you have chosen Mrs. Susan Jerich  
19 as your attorney and representative.

20 You have the right to make your own tape  
21 recording of this interview.

22 You will have access to the department's  
23 tape recording of your interview if further  
24 proceedings are contemplated prior to any further  
25 interrogation at a subsequent time.

1           After the interview, you are entitled to  
2 a transcribed copy of any notes or to any reports  
3 or complaints except those that are deemed  
4 confidential.

5           You will be questioned by no more than  
6 two investigators at one time during the course of  
7 this interview.

8           If this interview -- if the interrogation  
9 is occurring during your time off duty, you will  
10 be compensated in accordance with the regular  
11 department procedures, and you will not be  
12 released from employment for any time missed.

13           This interview session will be for a  
14 reasonable period of time based on all the  
15 circumstances, and you will be allowed to attend  
16 to your own physical personal necessities.

17           Do you understand these rights?

18           OFFICER GONZALEZ: Yes.

19           SERGEANT PALKOVIC: Because there is a  
20 potential for criminal charges, I am now going to  
21 read your constitutional rights, your Miranda  
22 advisement. You have the right to remain silent.  
23 Do you understand?

24           OFFICER GONZALEZ: Yes.

25           SERGEANT PALKOVIC: Anything you say may

1 be used against you in court. Do you understand?

2 OFFICER GONZALEZ: Yes.

3 SERGEANT PALKOVIC: You have the right to  
4 the presence of an attorney before or during  
5 questioning. Do you understand?

6 OFFICER GONZALEZ: Yes.

7 SERGEANT PALKOVIC: If you cannot find an  
8 attorney, one will be appointed for you free of  
9 charge. Do you understand?

10 OFFICER GONZALEZ: Yes.

11 SERGEANT PALKOVIC: Do you want to talk  
12 about what happened?

13 OFFICER GONZALEZ: No.

14 SERGEANT PALKOVIC: Do you want to tell  
15 your side of the story?

16 OFFICER GONZALEZ: No.

17 SERGEANT PALKOVIC: Do you want to go  
18 ahead and talk to me?

19 OFFICER GONZALEZ: No.

20 SERGEANT PALKOVIC: I'm going to read you  
21 the Lybarger admonishment. While you have the  
22 right to remain silent with regard to any criminal  
23 investigation, you do not have the right to refuse  
24 answers -- to answer my administration questions.

25 This is an administrative investigation.



1 I am therefore now ordering you to discuss this  
2 matter with me. If you refuse to discuss this  
3 matter, your silent can be deemed insubordination  
4 and result of administrative discipline up to and  
5 including termination. Any statement you make  
6 under compulsion of a threat of such discipline  
7 cannot be used against you in a later criminal  
8 proceeding.

9           Officer Anthony Gonzalez, I will now  
10 order you to answer any and all questions asked of  
11 you, in a truthful and accurate manner. Failure  
12 to do so may be deemed insubordination and result  
13 in administrative discipline up to and including  
14 termination of your employment with the San Diego  
15 Unified School District Police Department. Do you  
16 understand?

17           OFFICER GONZALEZ: I understand.

18           SERGEANT PALKOVIC: Okay. Now that we  
19 got all that done --

20           MS. JERICH: So -- and before you begin,  
21 Sergeant, if I may, I just want to clarify the  
22 scope of this particular interview. I know that  
23 oftentimes one interview can lead to subsequent  
24 interviews, depending on what arises. But my  
25 understanding, from what you've said here today,

1 is the scope of the questioning concerns an  
2 incident April 11, 2013.

3 SERGEANT PALKOVIC: Correct.

4 MS. JERICH: Is that correct?

5 SERGEANT PALKOVIC: Correct.

6 MS. JERICH: And is that the sole focus  
7 of today's interview?

8 SERGEANT PALKOVIC: With an additional  
9 questioning regarding since I've been his  
10 supervisor as of January 1.

11 MS. JERICH: So the --

12 SERGEANT PALKOVIC: And that's just in  
13 reference just to the submitting of reports.

14 MS. JERICH: Okay. And the reason I ask  
15 is -- and you and I had an email exchange  
16 regarding this. First of all, in this -- there's  
17 an April 25, 2013, notice of complaint  
18 investigation addressed to Officer Gonzalez, which  
19 talks about "your conduct regarding a recent drug  
20 and narcotic investigation," and it references  
21 April 11, 2013. It asks that Officer Gonzalez  
22 review any reports or other documents in  
23 connection with that incident prior to this  
24 interview. And I'll just let you know that he did  
25 not have access, nor did I, to any of those

1 documents -- anything.

2 SERGEANT PALKOVIC: Okay.

3 MS. JERICH: So it might be necessary,  
4 depending on what is referenced by you, what is  
5 relied upon by you shown to him, for us to take a  
6 break or breaks so that --

7 SERGEANT PALKOVIC: Absolutely.

8 MS. JERICH: -- we can review them.

9 SERGEANT PALKOVIC: Absolutely.

10 MS. JERICH: I just want to be clear that  
11 -- you know, I'm not trying to be obstreperous --

12 SERGEANT PALKOVIC: And I will --

13 MS. JERICH: -- but --

14 SERGEANT PALKOVIC: I will give you a  
15 chance to review that today.

16 MS. JERICH: Okay. I appreciate that.  
17 And if there are any other documents that are  
18 going to impact your questioning of the January --  
19 the incident, of course --

20 SERGEANT PALKOVIC: Correct.

21 MS. JERICH: -- we'd --

22 SERGEANT PALKOVIC: Absolutely.

23 MS. JERICH: -- like a chance to look at  
24 those and discuss them before -- obviously, we --

25 SERGEANT PALKOVIC: Absolutely.

1 MS. JERICH: -- I would feel comfortable  
2 having him answer your questions.

3 SERGEANT PALKOVIC: Not a problem.

4 MS. JERICH: Okay. And that's about it,  
5 as I can see --

6 SERGEANT PALKOVIC: Okay.

7 MS. JERICH: -- before starting. Yeah.  
8 Thank you.

9 SERGEANT PALKOVIC: All right. Uh-huh  
10 (affirmative). You're welcome.

11 Officer Gonzalez, do you recall the  
12 incident on April 11, 2013 -- this one in  
13 particular that we're talking about, where it was  
14 in the dirt parking lot at Mira Mesa High School?

15 OFFICER GONZALEZ: Yes.

16 SERGEANT PALKOVIC: Okay. Can you tell  
17 us about it, please -- who was there, what was  
18 found, how things unfolded?

19 OFFICER GONZALEZ: It was in the morning,  
20 prior to school starting. A teacher -- I believe  
21 it was a PE teacher who called the front office  
22 and said that he noticed, I don't know, some male  
23 jays (phonetic), or some students, behind a  
24 storage container. He went over there. He  
25 detained them. He called security. And security

1 and I, we went over there on the golf cart. And  
2 there was, I believe, six males standing outside  
3 of a vehicle.

4 The PE coach said that he saw all these  
5 guys -- all the students walking over that way.  
6 So he walked over that way, and as he was -- he is  
7 -- he was getting closer to the container, he  
8 smelled the odor marijuana. So he detained  
9 everybody, and that's when he called us, and  
10 that's when we showed up.

11 We called for an admin to be present with  
12 us. No admin was available at the time. Because  
13 it was morning -- arrival for students and stuff  
14 like that -- they were unavailable. So with  
15 myself and the two -- and the two security guards,  
16 we -- I started doing just outside pat-downs and  
17 stuff like that, detained them and all that and so  
18 forth.

19 I first -- before I patted everybody  
20 down, you know, made the -- I made the comment,  
21 "Hey, does anybody -- does anybody have anything  
22 they shouldn't have on them?" Nobody answered up.  
23 So I did pat-downs on each one of them, noticed  
24 one kid was fidgeting. I kind of kept an eye on  
25 him while I was doing pat-downs.

1           The other two security guards were just  
2 looking at the individuals, or keeping an eye on  
3 them while I was doing pat-downs. And then, when  
4 I got to the last individual, as he came up,  
5 patting down, I'm not sure which security guard  
6 had found a -- I believe it was a purple container  
7 that was behind -- it was -- they were sitting on  
8 a curb, and then that's when they found a purple  
9 container, which -- I don't know if it was the  
10 kids' or not. So the security guard gave it to  
11 me. We grabbed everybody, put them on golf carts,  
12 and walked over to the office.

13           Standard routine is kids get their --  
14 from the school side, the admin gives the students  
15 witnesses or victim declarations, where they write  
16 their side of the story. And then, one at a time,  
17 then I interview students.

18           At that point in time, when it came to  
19 the one individual who the marijuana was found in  
20 his area, was -- I read him his rights, his  
21 Miranda rights. I gave him the opportunity to  
22 have his parent there and/or a vice principal  
23 there, present with him. He understood his  
24 rights. He told me that he didn't want to talk to  
25 me. I asked him if it was his. He hesitated, and

1 eventually, he's -- he admitted it was his.

2 SERGEANT PALKOVIC: You had mentioned the  
3 purple container. Was there anything in the  
4 purple container?

5 OFFICER GONZALEZ: After I opened it up,  
6 yeah, there was.

7 SERGEANT PALKOVIC: And what was inside  
8 the purple container?

9 OFFICER GONZALEZ: Green nuggets and, to  
10 me, marijuana. It had the odor of marijuana.

11 SERGEANT PALKOVIC: Was there anything  
12 else found?

13 OFFICER GONZALEZ: I believe there was a  
14 pipe found in a vehicle.

15 SERGEANT PALKOVIC: And what happened  
16 with that pipe?

17 OFFICER GONZALEZ: That pipe was  
18 subsequently put in with the marijuana in a -- in  
19 a bag -- in an envelope.

20 SERGEANT PALKOVIC: And who took custody  
21 of all that?

22 OFFICER GONZALEZ: I did.

23 SERGEANT PALKOVIC: Okay. Were those  
24 particular items ever impounded -- the marijuana  
25 and the purple container and the glass pipe?

1           OFFICER GONZALEZ:  No.

2           SERGEANT PALKOVIC:  And you had mentioned  
3   that you had Mirandized one of the students.  Was  
4   he arrested?

5           OFFICER GONZALEZ:  He was arrested and  
6   released back to the school.

7           SERGEANT PALKOVIC:  Was there anybody  
8   else arrested in this incident?

9           OFFICER GONZALEZ:  No.

10          SERGEANT PALKOVIC:  Do you remember the  
11   student's name that you arrested?

12          OFFICER GONZALEZ:  No.

13          SERGEANT PALKOVIC:  Okay.  Did you submit  
14   an arrest report for that incident?

15          OFFICER GONZALEZ:  No.  It was -- I was  
16   working on it.

17          SERGEANT PALKOVIC:  Can you explain to me  
18   what you mean by you "were working on it"?

19          OFFICER GONZALEZ:  I was still  
20   investigating the crime -- the incident, because  
21   he -- at first he wasn't outright forthright.  And  
22   then his story wasn't collaborating with the other  
23   five juveniles with the admin.

24          SERGEANT PALKOVIC:  But you -- you had --  
25   there was enough there for you to make an arrest?



1           OFFICER GONZALEZ: Well, with his own  
2 admission afterwards, yes.

3           SERGEANT PALKOVIC: Okay. Can you tell  
4 us the department's policies regarding the time  
5 line in which reports are to be submitted?

6           OFFICER GONZALEZ: Offhand, I don't know.  
7 I can't tell you verbatim.

8           SERGEANT PALKOVIC: I'm going to give you  
9 several letters. And these are typical letters  
10 that we clear calls with -- an A, an O, an R, and  
11 a K. Do those sound familiar to you?

12          OFFICER GONZALEZ: Uh-huh (affirmative).

13          SERGEANT PALKOVIC: Those are  
14 dispositions over the radio and how we clear  
15 calls. Can you explain to me what each of those  
16 letters mean, what an A, an O, and an R and a K  
17 means?

18          OFFICER GONZALEZ: A is for an arrest. A  
19 K is for -- clear the call, for various reasons.  
20 O is for an open case, still under CAD per se,  
21 would be under -- still under investigation. And  
22 an R would be for just report only.

23          SERGEANT PALKOVIC: Okay. And I just  
24 wanted to clarify. A K -- you said "clear a  
25 call." How would you clear that call if you used

1 a K?

2 OFFICER GONZALEZ: Usually, depending on  
3 the case at stands, either it'd be no arrest or  
4 admin handle or not enough evidence. It all -- it  
5 varies, depends --

6 SERGEANT PALKOVIC: And now --

7 OFFICER GONZALEZ: -- and due -- due to  
8 the crimes, whatever is under investigation.

9 SERGEANT PALKOVIC: Okay. So typically a  
10 K would mean that there is no report generated?

11 OFFICER GONZALEZ: Not necessarily true.

12 MS. JERICH: Can you explain that, Tony?

13 OFFICER GONZALEZ: Yeah. Most K's,  
14 there's always reports behind it, via when admin  
15 ask, "What did you do?" there's some kind of  
16 documentation of what police officers do in report  
17 statuses. If it goes to a school hearing, they  
18 want to know what officers done. If it was an  
19 arrest or if there was any kind of report  
20 documentation. That's what -- usually standards  
21 for the K part.

22 SERGEANT PALKOVIC: So that -- you're  
23 referring to -- and I'm just trying to clarify  
24 here -- you're referring to the administrative  
25 side of the school district -- like the school

1     itself, the administrators there, the principals,  
2     the vice principals?

3             OFFICER GONZALEZ:   Well, it depending on  
4     who was asking for any kind of -- from the  
5     district level to the VP level.

6             SERGEANT PALKOVIC:   So --

7             OFFICER GONZALEZ:   It all depends.

8             SERGEANT PALKOVIC:   So I would like to  
9     know what a K means for our police department over  
10    the air.   What does that refer to?

11            OFFICER GONZALEZ:   Meaning -- K meaning  
12    no prosecution, no nothing.

13            SERGEANT PALKOVIC:   So no report taken at  
14    all because you're not going to submit anything if  
15    you clear a call with a K; is that correct?

16            OFFICER GONZALEZ:   Sometimes, yes.   Yes  
17    or no.   It all depends on the call itself.   Some  
18    people want O -- or 153 on a K, or for document  
19    purposes.   It all depends.

20            SERGEANT PALKOVIC:   And just so you know,  
21    Ms. Jerich, a 153 would be considered a  
22    narrative --

23            MS. JERICH:   Uh-huh (affirmative).

24            SERGEANT PALKOVIC:   -- of an incident.  
25    And we would clear that with an R because that

1 would be considered a report.

2 MS. JERICH: Report. Uh-huh  
3 (affirmative). Okay.

4 SERGEANT PALKOVIC: And so I'm -- I just  
5 wanted to clarify that. With our department, a K  
6 is meant as no report taken.

7 MS. JERICH: Okay.

8 SERGEANT PALKOVIC: Can you -- Officer  
9 Gonzalez, can you please tell us how you properly  
10 impound drugs into the San Diego Police  
11 Department, since they are the caretakers of our  
12 narcotics?

13 OFFICER GONZALEZ: Properly, they're in  
14 -- go to one of the substations closest to the  
15 area you work in or at -- or anywhere. That's  
16 deemed a San Diego P.D. property room.  
17 Paperwork's filled out, documentation, name,  
18 weight of the narcotics, and then explains the  
19 narcotics, gets in a sealed information with  
20 property tape on it, and gets filed in a secured  
21 red or blue mailbox in one of the property rooms  
22 of the police department.

23 SERGEANT PALKOVIC: And the new  
24 procedures that we've gone to within the last year  
25 and a half require us to do what with the property

1 tag per se, the --

2 OFFICER GONZALEZ: Attach it to a report  
3 or any kind of documentation that's behind it.

4 SERGEANT PALKOVIC: And is that -- that  
5 process, is that where we generate a -- kind of  
6 like a sticky piece of -- like a -- I'm going  
7 blank here on the name --

8 SERGEANT HOLIDAY: Label?

9 SERGEANT PALKOVIC: -- a label -- where  
10 we generate a label for the property tag, and we  
11 attach that to the property?

12 OFFICER GONZALEZ: The new labels, yeah,  
13 from San Diego P.D. Yeah. So it --

14 SERGEANT PALKOVIC: Electronic label?

15 OFFICER GONZALEZ: Electronic label --

16 SERGEANT PALKOVIC: Okay.

17 OFFICER GONZALEZ: -- so it's -- it'll  
18 come through.

19 SERGEANT PALKOVIC: Can you tell us how  
20 you are to properly dispose of alcohol that you've  
21 obtained in an investigation?

22 OFFICER GONZALEZ: Take pictures of it  
23 and dispose of it via, I don't know, bathroom or  
24 sink or something, where it's not -- can be taken  
25 or used.

1           SERGEANT PALKOVIC: Okay. Do you  
2 remember the conversation that you and I had  
3 regarding an email about this incident, when I had  
4 sent you an email -- and in fact, I will let you  
5 look at the emails -- when I sent you an email  
6 referencing Herman Davis, our crime analyst, and I  
7 was looking into this report because I hadn't seen  
8 it come across my desk yet? Do you remember  
9 the --

10           MS. JERICH: I'll just note for the  
11 record, Sergeant -- thank you --

12           SERGEANT PALKOVIC: That's fine.

13           MS. JERICH: -- that you handed us, looks  
14 like one, two, three, four emails -- one -- four  
15 email -- four pages of an email, beginning with  
16 one from Anthony Gonzalez to Sergeant Palkovic  
17 dated Thursday, April 18th. I don't know if this  
18 is the same chain. Is this the same chain of  
19 emails?

20           SERGEANT PALKOVIC: Yes, it's the same.

21           MS. JERICH: Okay.

22           SERGEANT PALKOVIC: So the last page --

23           MS. JERICH: Okay.

24           SERGEANT PALKOVIC: -- will probably --

25           MS. JERICH: Okay.

1 SERGEANT PALKOVIC: -- read what  
2 everything else does.

3 MS. JERICH: Okay. So we should turn to  
4 the last page; is that right?

5 SERGEANT PALKOVIC: That would -- well,  
6 it would help --

7 MS. JERICH: Would that be shortening  
8 things up?

9 SERGEANT PALKOVIC: -- if you want to go  
10 that route.

11 MS. JERICH: Okay. It looks like it.  
12 Okay. I'm turning to the last page. So we'll  
13 just take a minute, if you don't mind, and --

14 SERGEANT PALKOVIC: No. Not a problem.

15 MS. JERICH: Have you seen this before?

16 OFFICER GONZALEZ: Our email train?

17 MS. JERICH: Uh-huh (affirmative).

18 SERGEANT PALKOVIC: Yeah.

19 MS. JERICH: So it looks like it starts  
20 here and -- oh, it's a --

21 OFFICER GONZALEZ: No. Okay.

22 MS. JERICH: Okay. This --

23 SERGEANT PALKOVIC: Uh-huh (affirmative).

24 MS. JERICH: Okay. Thank you. We've had  
25 a chance to review that.

1 SERGEANT PALKOVIC: Uh-huh (affirmative).

2 MS. JERICH: May we keep this in front of  
3 us, or do you need it back to --

4 SERGEANT PALKOVIC: Sure.

5 MS. JERICH: Okay.

6 SERGEANT PALKOVIC: Sure.

7 MS. JERICH: All right.

8 SERGEANT PALKOVIC: So, Officer Gonzalez,  
9 do you remember that conversation that we -- that  
10 took place over the email?

11 OFFICER GONZALEZ: This email chain?  
12 Yes.

13 SERGEANT PALKOVIC: Okay. What was -- do  
14 you remember the -- how you cleared this  
15 particular call originally?

16 OFFICER GONZALEZ: With an A.

17 SERGEANT PALKOVIC: With an A. Okay. And  
18 in that email, I had asked you where the report  
19 was because I hadn't seen it across my desk. And  
20 you had indicated to me that it should not have  
21 been an A and that it should have been changed.  
22 And there was a little confusion there regarding  
23 the 1150 and the 11550, which 1150 is a traffic  
24 stop --

25 OFFICER GONZALEZ: Oh, traffic stop.



1           SERGEANT PALKOVIC:  -- and 11550 would be  
2 considered --

3           MS. JERICH:  Uh-huh (affirmative).

4           SERGEANT PALKOVIC:  -- an under the  
5 influence-type call.

6           MS. JERICH:  Uh-huh (affirmative).

7           SERGEANT PALKOVIC:  Is that correct in  
8 there?  I just want to make sure you can read all  
9 of that.  And that's why I asked you.  An 11550 --  
10 I understand a traffic stop from an A -- from an  
11 arrest.

12           OFFICER GONZALEZ:  Because the initial --  
13 they were at -- they were initially at a vehicle.  
14 Beforehand it was just 11550 because there was no  
15 evidence in at the time.

16           SERGEANT PALKOVIC:  Okay.

17           MS. JERICH:  And I'm sorry.  I might be  
18 confused, but in this email chain, I see the  
19 reference originally to an A, which, as I  
20 understand it, means there was an arrest made.

21           SERGEANT PALKOVIC:  Correct.

22           MS. JERICH:  I don't see anything in this  
23 email, at least, that Officer Gonzalez wrote about  
24 it not being an A.  But I see the difference being  
25 it's changed from -- it looks like a possession of

1 marijuana, 11357, to possession.

2 SERGEANT PALKOVIC: Was the -- I'm sorry.  
3 Well, then that might have been -- oh, there it is  
4 right there.

5 MS. JERICH: 11550.

6 SERGEANT PALKOVIC: It says right here,  
7 "It should have been changed to an 1150."

8 MS. JERICH: 11 -- is it 11550?

9 SERGEANT PALKOVIC: It was. That was a  
10 -- we clarified it up here further.

11 MS. JERICH: Okay.

12 SERGEANT PALKOVIC: It was 11550.

13 MS. JERICH: Okay. Just an arrest, but  
14 for a different charge? Is that what I  
15 understand?

16 SERGEANT PALKOVIC: We're just changing  
17 the call --

18 MS. JERICH: Okay.

19 SERGEANT PALKOVIC: -- from an --  
20 possession of marijuana --

21 MS. JERICH: Right.

22 SERGEANT PALKOVIC: -- to under the  
23 influence.

24 MS. JERICH: Right. Okay.

25 OFFICER GONZALEZ: And the reason why is

1 because initially -- because the teacher said they  
2 were smoking dope. So that's who -- the original  
3 call. Then, when I got there, it was that because  
4 there was no evidence at the time.

5 MS. JERICH: Okay.

6 SERGEANT PALKOVIC: Okay. So on  
7 April 19th, I came out to your school and met with  
8 you in your office regarding some other reports  
9 that I was working on you with. And I had asked  
10 you, in your office, to clarify the email chain  
11 and the incident with me because I was still  
12 confused. I didn't understand what was going --  
13 what was taking place. And when we met in your  
14 office, you informed me that nothing was found in  
15 the dirt parking lot and that the call was a  
16 mistake, and it should have been cleared with a K.  
17 Is that true?

18 OFFICER GONZALEZ: I don't remember  
19 saying that, but --

20 SERGEANT PALKOVIC: Could you tell me  
21 what you remember about that conversation in your  
22 office?

23 OFFICER GONZALEZ: I'm trying to  
24 remember. The call was to the part where there  
25 was -- they found marijuana after the fact. So it

1 should have been -- it started as an 11357, turned  
2 into 1150. It should have been back to 11357.

3 SERGEANT PALKOVIC: But it -- the  
4 conversation that we -- you and I had in your  
5 office regarding this incident, when you had told  
6 me that you had walked up on a vehicle. It  
7 smelled highly of marijuana --

8 OFFICER GONZALEZ: Right.

9 SERGEANT PALKOVIC: -- as if they'd just  
10 got done smoking the marijuana. And when I had  
11 asked you, "Well, was anything found?" you said,  
12 "No." And I said, "You mean there was no  
13 marijuana? There was no pipe? There was nothing  
14 found?" And you said, "Correct."

15 OFFICER GONZALEZ: Not at that point when  
16 I walked up there. No.

17 SERGEANT PALKOVIC: I'm sorry?

18 OFFICER GONZALEZ: There was nothing  
19 found there at the point when I walked up there.  
20 No.

21 SERGEANT PALKOVIC: But in reference --  
22 what we were discussing was in reference to this  
23 entire call.

24 OFFICER GONZALEZ: Right.

25 SERGEANT PALKOVIC: I had asked you about

1 a report that I had not seen. And this was on the  
2 19th. So this was eight days after the incident  
3 when we spoke about this, and you had referred to  
4 me in your office that there was -- no drugs were  
5 found, there was no pipe found, and the call was  
6 mistakenly cleared as an A, and it should have  
7 been cleared with a K. That was the conversation  
8 you and I had. Do you remember that?

9 OFFICER GONZALEZ: I do remember the  
10 conversation. Yes.

11 SERGEANT PALKOVIC: Okay. So is -- what  
12 I'm saying, is that correct?

13 OFFICER GONZALEZ: To the best of my  
14 knowledge, yes.

15 SERGEANT PALKOVIC: Okay. If you -- so I  
16 guess the next question would be is if you made an  
17 arrest and you confiscated some drugs and  
18 paraphernalia, then in your office that day, why  
19 would you tell me that there were no drugs or  
20 paraphernalia found, and the call needed to be  
21 cleared with a K?

22 OFFICER GONZALEZ: Because I knew that  
23 kid was in the verge of not graduating. So I was  
24 trying to help the kid out, because he's a senior.  
25 And he was -- elected to go there. He was going

1 to try to go to diversion program, and that's what  
2 -- I was waiting for the mom to come back to me  
3 about doing diversion.

4 SERGEANT PALKOVIC: And just so -- for  
5 the record, I don't recall that being addressed to  
6 me.

7 OFFICER GONZALEZ: Yeah.

8 SERGEANT PALKOVIC: So you didn't bring  
9 that up to me then?

10 OFFICER GONZALEZ: No.

11 SERGEANT PALKOVIC: Okay. Going down the  
12 road a little further, on April 25th. Sergeant  
13 Holiday and myself arrived at your school and met  
14 you when you came to work. We handed you a letter  
15 of intent that you were being investigated. We  
16 asked for you -- we advised you that you had the  
17 right to have a representative present. You  
18 phoned the representative of your choice. I want  
19 to say it was Jesus Montana.

20 OFFICER GONZALEZ: Uh-huh (affirmative).

21 SERGEANT PALKOVIC: And we had asked you  
22 if we can search through our desk, and you gave us  
23 consent to search through your desk.

24 OFFICER GONZALEZ: Yeah.

25 SERGEANT PALKOVIC: As I was searching

1 through your desk, you had made a statement to me.  
2 You asked me, "What are you looking for?" Is that  
3 correct?

4 OFFICER GONZALEZ: Yes.

5 SERGEANT PALKOVIC: And I told you that  
6 we were looking for something that shouldn't be  
7 here; is that correct?

8 OFFICER GONZALEZ: I believe so.

9 SERGEANT PALKOVIC: As I continued  
10 searching through your desk, you reached to the  
11 left of your desk, and you grabbed a manila  
12 envelope.

13 OFFICER GONZALEZ: Uh-huh (affirmative).

14 SERGEANT PALKOVIC: And you handed it to  
15 me, and you said, "I think this is what you're  
16 looking for." Is that correct?

17 OFFICER GONZALEZ: I didn't say "I  
18 think." I said, "This is what you're looking  
19 for."

20 SERGEANT PALKOVIC: Okay. So you said,  
21 "This is what you're looking for"?

22 OFFICER GONZALEZ: Uh-huh (affirmative).

23 SERGEANT PALKOVIC: Can you recall the  
24 contents of that envelope, please?

25 OFFICER GONZALEZ: There should have been

1 a piece of paper in there, a pipe, and I believe  
2 the container of marijuana.

3 SERGEANT PALKOVIC: Are those items that  
4 you handed me on that day the items that you  
5 obtained from April 11th?

6 OFFICER GONZALEZ: Yes.

7 SERGEANT PALKOVIC: Okay. On April 19th,  
8 when I came into your office to talk to you about  
9 these reports, was that envelope sitting in the  
10 same place it was when I was talking to you in the  
11 -- in your office that day?

12 OFFICER GONZALEZ: No.

13 SERGEANT PALKOVIC: Where was it?

14 OFFICER GONZALEZ: In the bottom drawer.

15 SERGEANT PALKOVIC: Okay. So --

16 OFFICER GONZALEZ: So I took it out.

17 SERGEANT PALKOVIC: You took it out?

18 OFFICER GONZALEZ: Uh-huh (affirmative).

19 Knowing that --

20 SERGEANT PALKOVIC: The envelope --

21 OFFICER GONZALEZ: Knowing that I have to  
22 impound it. So I take it out, knowing that I have  
23 to impound it.

24 SERGEANT PALKOVIC: As a -- as a way to  
25 remind you?



1           OFFICER GONZALEZ: A reminder. Yes.

2           SERGEANT PALKOVIC: Okay. So on the  
3 19th, when I came in there, six days later, you  
4 still had no impounded it. And that was the  
5 envelope that you handed me, correct?

6           OFFICER GONZALEZ: Correct.

7           SERGEANT PALKOVIC: Okay.

8           MS. JERICH: May I ask a -- just a --

9           SERGEANT PALKOVIC: Yes, ma'am.

10          MS. JERICH: -- question here?

11          Officer Gonzalez, was there a reason -- I  
12 mean, knowing that the department police, I think,  
13 is probably -- impounding like that within a  
14 reasonable time period -- maybe it's two days  
15 after arrest -- is there any reason you can give  
16 us today why you didn't impound that evidence in a  
17 more, shall we say, timely fashion?

18          OFFICER GONZALEZ: Just, you know, loss  
19 of time. I forgot. You know, I work at a high  
20 school. The door is always open, so kids come in  
21 and out, parents come in and out. So I tend to  
22 forget to, you know, impound stuff in a timely  
23 manner just because of the foot traffic that I  
24 encounter with the school.

25          And at that time, there was word to me --

1 I don't know if it was on the 19th or the 20th or  
2 whatever -- of a -- of the admin coming, telling  
3 me that there was a kid that was sexually  
4 assaulting female students, which then -- that's  
5 when I directed to my sergeant about this other  
6 case that was more important -- an important  
7 matter that was more touchy -- a touchy subject  
8 when it came to this thing. So that's when I  
9 directed everything to that nature of that call.

10 MS. JERICH: And you didn't receive your  
11 supervisor's permission, I assume?

12 OFFICER GONZALEZ: No. I neglected to  
13 tell my supervisor about the impound.

14 MS. JERICH: Okay. So is it fair to say  
15 you got busy with this other matter involving the  
16 sexual assault and put this matter aside?

17 OFFICER GONZALEZ: Yes.

18 MS. JERICH: Okay.

19 That's all I have.

20 SERGEANT PALKOVIC: Just to clarify for  
21 the record, in case Officer Gonzalez is not aware,  
22 department policy says that all drugs and  
23 narcotics will be impounded the same day, prior to  
24 end of shift. And if I understood correctly, what  
25 you were talking with your attorney in regards to,

1 was on the day that you obtained the drugs, you  
2 got side-tracked and busy and things of that  
3 nature.

4 OFFICER GONZALEZ: Uh-huh (affirmative).

5 SERGEANT PALKOVIC: But on the 19th, when  
6 I showed up, you had pulled it out as a  
7 reminder --

8 OFFICER GONZALEZ: To impound it.

9 SERGEANT PALKOVIC: -- and six days  
10 later, you still had not impounded it?

11 OFFICER GONZALEZ: Correct.

12 SERGEANT PALKOVIC: Okay. What I would  
13 like to show you now -- and feel free to look at  
14 it is the -- is the report that was never  
15 submitted. And this is of the incident, on that  
16 day. And the incident number on that report  
17 should end with the last four of 0889.

18 MS. JERICH: Uh-huh (affirmative).

19 Does this look familiar?

20 OFFICER GONZALEZ: Uh-huh (affirmative).  
21 This stuff is on the computer.

22 MS. JERICH: Would you mind if we went  
23 off tape, and we could sit here and we --

24 SERGEANT PALKOVIC: Absolutely. We can  
25 take a break.

1 MS. JERICH: Yeah. And --

2 SERGEANT PALKOVIC: Sure. No problem.

3 MS. JERICH: -- what we can do is we'll  
4 take a look at this. So we can --

5 (END OF FILE 130607-000)

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## 1 CERTIFICATE OF TRANSCRIPTIONIST

2 I certify that the foregoing is a true  
3 and accurate transcript of the digital recording  
4 provided to me in this matter.

5 I do further certify that I am neither a  
6 relative, nor employee, nor attorney of any of the  
7 parties to this action, and that I am not  
8 financially interested in the action.

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17 Julie Thompson, CET-1036  
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10                   TRANSCRIPT OF INTERVIEW  
11                   OFFICER ANTHONY GONZALEZ  
12                   BY SERGEANT DAN PALKOVIC AND  
13                   SERGEANT TROY HOLIDAY  
14                   JUNE 7, 2013  
15  
16  
17  
18

19   ALSO PRESENT:

20   Susan Jerich, Attorney for Anthony Gonzalez  
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22  
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Page 1

1 (FILE 130607-001)

2 MS. JERICH: I guess I'll just note we're  
3 back on the record after a brief break to review  
4 Report Number -- well, ending in 0889.

5 SERGEANT PALKOVIC: Okay. Officer  
6 Gonzalez, do you remember this report -- recall  
7 this report?

8 OFFICER GONZALEZ: Yes. I do remember  
9 the --

10 SERGEANT PALKOVIC: And did you write  
11 this report?

12 OFFICER GONZALEZ: I did.

13 SERGEANT PALKOVIC: Okay. Is that your  
14 signature on the blue card on the very front of  
15 this report?

16 OFFICER GONZALEZ: That printed  
17 signature? Yes. That's my card -- me.

18 SERGEANT PALKOVIC: Okay. A few  
19 questions regarding this particular report. It  
20 indicates on the very, very bottom of that report,  
21 in the middle of the page -- I'm looking at it  
22 upside down -- a report date of 4/11/2013 at 1030  
23 hours -- is that it?

24 MS. JERICH: See that right there?

25 SERGEANT PALKOVIC: 1030 hours?

1           OFFICER GONZALEZ:   Yes.

2           SERGEANT PALKOVIC:   Is -- and that, in  
3   our terminology, is the day that this report was  
4   written, correct?

5           MS. JERICH:   Do you understand the  
6   question?

7           OFFICER GONZALEZ:   No.   It -- this is the  
8   initial day of the report writing.   Yes.   That's  
9   the date and the time when the call came out.  
10   Yes.   Right here.

11          MS. JERICH:   So there's a box on this --  
12   on the first page of this report --

13          OFFICER GONZALEZ:   Correct.

14          MS. JERICH:   -- at the bottom, saying  
15   "report date."   And I think the question is: what  
16   do you understand the department's policy to be as  
17   to what date gets included in that box?

18          SERGEANT PALKOVIC:   I mean -- yes.

19          MS. JERICH:   Is that the --

20          SERGEANT PALKOVIC:   Thank you.

21          OFFICER GONZALEZ:   Yeah.   That's the date  
22   of the call.

23          MS. JERICH:   The date -- your  
24   understanding is --

25          OFFICER GONZALEZ:   Yeah.



1 MS. JERICH: -- the date the call --

2 OFFICER GONZALEZ: The date that this --

3 MS. JERICH: Okay.

4 OFFICER GONZALEZ: -- for this incident.

5 This is the date that occurred on.

6 SERGEANT PALKOVIC: And then, if you look  
7 at the top of this paper, it says "arrest date" in  
8 a little box, and this is the actual date of  
9 arrest.

10 OFFICER GONZALEZ: Uh-huh (affirmative).

11 SERGEANT PALKOVIC: And then, once again,  
12 it gives you an offense date and offense time,  
13 correct?

14 OFFICER GONZALEZ: Yes.

15 MS. JERICH: Uh-huh (affirmative).

16 SERGEANT PALKOVIC: The maybe middle of  
17 the page, on the right-hand side. You've been  
18 writing reports with our police department for a  
19 long time, correct?

20 OFFICER GONZALEZ: Yes.

21 SERGEANT PALKOVIC: And you mean to tell  
22 me that the very bottom line there, next to your  
23 name, your ID number, in all these years, you have  
24 been referencing that particular line as the line  
25 of the date of incident, not the date that you

1 wrote that report?

2 OFFICER GONZALEZ: That's the date of the  
3 incident of the report. Yes.

4 MS. JERICH: So maybe you're not -- are  
5 you understanding the question, Officer Gonzalez?  
6 Because I think the question is -- as a --

7 SERGEANT PALKOVIC: What day did --

8 MS. JERICH: Yeah.

9 SERGEANT PALKOVIC: What day did you  
10 write this report?

11 OFFICER GONZALEZ: I started it on the --  
12 4/11.

13 MS. JERICH: Okay.

14 SERGEANT PALKOVIC: Okay.

15 OFFICER GONZALEZ: That's the date of the  
16 incident -- the report. That's the date of the  
17 incident.

18 SERGEANT PALKOVIC: You started it.

19 OFFICER GONZALEZ: Correct.

20 SERGEANT PALKOVIC: It just never was  
21 turned in?

22 OFFICER GONZALEZ: Correct.

23 SERGEANT PALKOVIC: Okay. And if you  
24 could flip to -- go to the -- I want to say it's  
25 the second page of the narrative. Yes.

1 MS. JERICH: This one here?

2 SERGEANT PALKOVIC: Under evidence.

3 OFFICER GONZALEZ: Okay.

4 SERGEANT PALKOVIC: You had clearly  
5 stated a little while ago that the drugs were  
6 never impounded into the police station, correct?

7 OFFICER GONZALEZ: Correct.

8 SERGEANT PALKOVIC: Under evidence there,  
9 can you read what that says for me, please.

10 OFFICER GONZALEZ: "1.65 grams of  
11 marijuana was impounded at the San Diego Police  
12 Station, Northeastern Station, property room.

13 SERGEANT PALKOVIC: So can you explain to  
14 me why that is different than what you verbally  
15 said a few minutes ago?

16 OFFICER GONZALEZ: Because I have an  
17 electronic scanner -- or an electronic -- what do  
18 you call those things -- a scale, weighed it, and  
19 then that's where it was going to go. That's  
20 where I was going to impound it, Northeastern sub.

21 SERGEANT PALKOVIC: But you had completed  
22 this report, and this report was ready for it to  
23 be submitted --

24 OFFICER GONZALEZ: Right.

25 SERGEANT PALKOVIC: -- and it clearly

1 states in there that the drugs were impounded,  
2 correct?

3 OFFICER GONZALEZ: It's -- the report  
4 does. Yeah. The property never did get  
5 impounded.

6 SERGEANT PALKOVIC: Okay.

7 MS. JERICH: Were you going to -- when  
8 you wrote this report, had you already impounded  
9 the marijuana?

10 OFFICER GONZALEZ: No.

11 MS. JERICH: Okay. Was it your intention  
12 to impound the marijuana and then submit this  
13 report?

14 OFFICER GONZALEZ: Yes.

15 MS. JERICH: Okay. Did you submit this  
16 report to your supervisor prior to impounding --

17 OFFICER GONZALEZ: No.

18 MS. JERICH: -- the marijuana? Okay.  
19 Has the marijuana subsequently been impounded?

20 OFFICER GONZALEZ: No.

21 MS. JERICH: Okay. Where is it now?

22 OFFICER GONZALEZ: It's in the custody of  
23 school police.

24 MS. JERICH: Okay.

25 SERGEANT PALKOVIC: It's been impounded.

1 MS. JERICH: Okay.

2 SERGEANT PALKOVIC: But just to let --

3 OFFICER GONZALEZ: Okay.

4 MS. JERICH: Yeah.

5 OFFICER GONZALEZ: Yeah.

6 SERGEANT PALKOVIC: -- just to let you  
7 know --

8 MS. JERICH: Thank you.

9 SERGEANT PALKOVIC: -- it has finally  
10 been impounded.

11 MS. JERICH: Yeah.

12 SERGEANT PALKOVIC: Can you recall when  
13 you finished this report?

14 OFFICER GONZALEZ: 11, 12 -- probably  
15 three days later.

16 MS. JERICH: Three days later than --

17 OFFICER GONZALEZ: The day.

18 MS. JERICH: The 11th?

19 OFFICER GONZALEZ: The 11th.

20 MS. JERICH: Okay.

21 OFFICER GONZALEZ: If there was a weekend  
22 in there, it'd probably be that Friday or that  
23 Monday.

24 SERGEANT PALKOVIC: Okay. After we had  
25 -- Sergeant Holiday and myself have -- had gave

1 you the letter of intent that you were under  
2 investigation, and we obtained some items in your  
3 office, and then we left for a period of time.  
4 This was roughly around 6:50 in the morning, and  
5 we returned around 11 o'clock the same day; is  
6 that correct? Do you remember that?

7 OFFICER GONZALEZ: I don't think we left  
8 -- or you guys left.

9 SERGEANT PALKOVIC: No. You didn't  
10 leave.

11 OFFICER GONZALEZ: Right.

12 SERGEANT PALKOVIC: We left.

13 OFFICER GONZALEZ: Correct.

14 SERGEANT PALKOVIC: And when we returned,  
15 that was when we had the lieutenant with us, and  
16 we served you a piece of paper, saying you're on  
17 paid administrative leave as of now?

18 OFFICER GONZALEZ: Yes.

19 SERGEANT PALKOVIC: Okay. In that window  
20 between 6:50 in the morning and 11 o'clock in the  
21 morning, did you write this report?

22 OFFICER GONZALEZ: No.

23 SERGEANT PALKOVIC: Did you print this  
24 report?

25 OFFICER GONZALEZ: No.

1           SERGEANT PALKOVIC: Okay. I have given  
2 the IT department of our district your ID number,  
3 and we took your computer tower out of your  
4 office. And they gave me a report back that  
5 stated there was three items printed on the  
6 printing machine in the counseling center between  
7 that time frame, 0650 and 11 o'clock.

8           OFFICER GONZALEZ: Well, I didn't --  
9 didn't touch anything.

10          SERGEANT PALKOVIC: And you're telling me  
11 right now that this report was not one of those  
12 items printed?

13          OFFICER GONZALEZ: Correct.

14          SERGEANT PALKOVIC: Okay.

15          OFFICER GONZALEZ: I don't have any kind  
16 of documentation --

17          SERGEANT PALKOVIC: Okay.

18          OFFICER GONZALEZ: -- of this case.

19          SERGEANT PALKOVIC: Did you ever -- and  
20 I'm going to go back to a question I asked you  
21 earlier when I asked you, "Was there anyone else  
22 arrested in this incident?" And you said "No."

23          OFFICER GONZALEZ: No.

24          SERGEANT PALKOVIC: Did you -- were you  
25 ever able to link the glass pipe that was found --

1 OFFICER GONZALEZ: No.

2 SERGEANT PALKOVIC: -- to another  
3 individual? Okay. If I show you a picture of the  
4 evidence, would you be able to recognize it?

5 OFFICER GONZALEZ: Yeah.

6 SERGEANT PALKOVIC: This is the evidence,  
7 just so that we can document it.

8 MS. JERICH: Sure.

9 SERGEANT PALKOVIC: This is the evidence,  
10 and you can see the manila folder. That was the  
11 manila folder that was handed to me on April 25th,  
12 in the office, the purple container containing  
13 what appears to be marijuana and then a  
14 multicolored glass pipe. And the piece of paper  
15 that those items are sitting on is a student  
16 profile --

17 MS. JERICH: Uh-huh (affirmative).

18 SERGEANT PALKOVIC: -- for Redacted ,  
19 I think it is.

20 OFFICER GONZALEZ: Redacted Yeah.

21 SERGEANT PALKOVIC: I'm looking at --

22 OFFICER GONZALEZ: Redacted .

23 MS. JERICH: Here.

24 SERGEANT PALKOVIC: -- Redacted

25 MS. JERICH: Right.



1           SERGEANT PALKOVIC: And in the  
2 upper-right-hand corner are the numbers 0889.

3           MS. JERICH: Uh-huh (affirmative).  
4 Correct.

5           SERGEANT PALKOVIC: So these are the  
6 items that you handed me on that day?

7           OFFICER GONZALEZ: Yes.

8           SERGEANT PALKOVIC: Okay.

9           OFFICER GONZALEZ: And everything was in  
10 this envelope.

11           SERGEANT PALKOVIC: Correct. Thank you.  
12 I understand that Mira Mesa is one of the busier  
13 schools in the district and that being a campus  
14 officer, you're a very busy individual; a lot of  
15 things go on. I'm not looking for a specific  
16 number, but could you tell me, off the top of your  
17 head, because we have nothing here to reference,  
18 how many drug investigations you think you've done  
19 this school year?

20           OFFICER GONZALEZ: Oh, I don't even --  
21 this year? I don't even know. I couldn't tell  
22 you.

23           SERGEANT PALKOVIC: Would it be safe to  
24 say numerous?

25           OFFICER GONZALEZ: Well, I would say --

1     yeah. I guess you would say numerous. I could  
2     have --

3             MS. JERICH: Can you -- can you give us  
4     -- is it more than 10?

5             OFFICER GONZALEZ: I would --

6             MS. JERICH: More than 100?

7             OFFICER GONZALEZ: Probably more than 10,  
8     I would say, just for this school year, for --  
9     probably.

10            SERGEANT PALKOVIC: Okay. Okay.

11            MS. JERICH: Like --

12            OFFICER GONZALEZ: 10.

13            MS. JERICH: -- between 10 and 100?

14     Between 10 and --

15            OFFICER GONZALEZ: Probably around there.  
16     Yeah.

17            MS. JERICH: Okay.

18            OFFICER GONZALEZ: I don't -- there's not  
19     a lot. I don't do a lot --

20            MS. JERICH: Yeah.

21            OFFICER GONZALEZ: -- of marijuana cases.

22            MS. JERICH: Because "numerous" is more  
23     than one.

24            OFFICER GONZALEZ: Right.

25            SERGEANT PALKOVIC: Correct.

1 MS. JERICH: But it can be -- it can  
2 mean --

3 OFFICER GONZALEZ: Right.

4 SERGEANT PALKOVIC: And I'm not  
5 talking --

6 MS. JERICH: But I disagree about the --

7 SERGEANT PALKOVIC: -- specifically  
8 marijuana. Any drug-related-type --

9 MS. JERICH: Yeah.

10 SERGEANT PALKOVIC: -- investigations  
11 whatsoever.

12 OFFICER GONZALEZ: Yeah. Probably 10 and  
13 above for this school year, I would say, for  
14 investigations, give or take.

15 SERGEANT PALKOVIC: Okay. And have you  
16 impounded -- out of any of those investigations  
17 this school year, have you impounded any narcotics  
18 whatsoever into the police department?

19 OFFICER GONZALEZ: Uh-huh (affirmative).  
20 Yes, I have.

21 SERGEANT PALKOVIC: And could you give me  
22 a rough number of what that might be? An idea of  
23 just --

24 OFFICER GONZALEZ: Well, 10 or more. It  
25 -- whatever I have. I don't know.

1           SERGEANT PALKOVIC: So is it safe to say  
2 that --

3           OFFICER GONZALEZ: More than one, I  
4 guess. I don't know. I mean, every -- it should  
5 be every impound that I have with narcotics gets  
6 impounded --

7           SERGEANT PALKOVIC: Correct.

8           OFFICER GONZALEZ: -- depend -- if it's a  
9 usable amount.

10          SERGEANT PALKOVIC: Correct. Okay.  
11 Which leads me into an incident on 4/11 as well at  
12 Challenger Middle School. The -- later in the  
13 day, the same day --

14          OFFICER GONZALEZ: Right.

15          SERGEANT PALKOVIC: -- you were  
16 dispatched a call at Challenger Middle School  
17 regarding a student that was --

18          OFFICER GONZALEZ: In possession of a --

19          SERGEANT PALKOVIC: It says -- and I'll  
20 -- I'll let you read this.

21          OFFICER GONZALEZ: -- marijuana.

22          SERGEANT PALKOVIC: I just want to read  
23 it, so I don't read upside down. And this is --  
24 this is a CAD report from our computer system.  
25 And this is -- dictates the call. It was

1 generated who called -- who the caller was and who  
2 the officer was it was given to. And this is the  
3 information that is given to the officer: "Suspect  
4 was driving a light blue -- or light four-door  
5 blue vehicle, unknown plates. Suspected pulled  
6 over, got out of the vehicle, and gave a plastic  
7 baggie with one marijuana joint inside, and said  
8 to victim, 'Take this for me.'" Do you recall this  
9 incident?

10 OFFICER GONZALEZ: Yes, I do.

11 SERGEANT PALKOVIC: Okay. And just --  
12 you can review this before I ask any more  
13 questions.

14 MS. JERICH: Got it. And the -- and  
15 you've handed me a CAD report, call number 0937.  
16 Is that the same as the police incident number  
17 would be?

18 SERGEANT PALKOVIC: Yes.

19 MS. JERICH: It's the same?

20 SERGEANT PALKOVIC: Yes.

21 MS. JERICH: Okay. Okay.

22 Do you want to take a look?

23 OFFICER GONZALEZ: Yeah. Let me look at  
24 it.

25 MS. JERICH: Okay.

1           OFFICER GONZALEZ: That's the junior  
2 high.

3           MS. JERICH: This is at 1:30?

4           OFFICER GONZALEZ: Yeah. Well, the  
5 actual call came in at -- but the --

6           MS. JERICH: It's all here.

7           OFFICER GONZALEZ: -- I got it at 1:30.  
8 Yeah.

9           SERGEANT PALKOVIC: And this basically  
10 just lets the officer know what he's going to --

11          MS. JERICH: Uh-huh (affirmative).

12          SERGEANT PALKOVIC: -- what he's going to  
13 go into.

14          MS. JERICH: Right.

15          SERGEANT PALKOVIC: And the RP, the  
16 reporting party, I want to say is Vice Principal  
17 Bauers (sic).

18          OFFICER GONZALEZ: Uh-huh (affirmative).

19          SERGEANT PALKOVIC: Did you meet with  
20 Vice Principal Bauers on that day?

21          OFFICER GONZALEZ: Yes.

22          SERGEANT PALKOVIC: And did he hand you  
23 anything in reference to this incident?

24          OFFICER GONZALEZ: Uh-huh (affirmative).  
25 A little baggie, what looked to be like a small

1 roach of some sort.

2 SERGEANT PALKOVIC: Okay.

3 OFFICER GONZALEZ: It wasn't a marijuana  
4 joint. It was very minute.

5 SERGEANT PALKOVIC: So a roach -- it was  
6 -- in your training and experience, was not  
7 marijuana?

8 OFFICER GONZALEZ: Well, it could have  
9 been a marijuana cigarette or just a regular  
10 cigarette. It was just very minute.

11 SERGEANT PALKOVIC: And typically, when  
12 an administrator hands you something that they're  
13 going to give out a suspension for, what is the  
14 protocol for the department -- for an officer?

15 OFFICER GONZALEZ: To impound any kind of  
16 evidence that I receive from any kind of admin.  
17 But most admin don't -- most -- some admin keep  
18 their stuff. Not narcotics though. Other stuff.

19 SERGEANT PALKOVIC: But in this  
20 particular case --

21 OFFICER GONZALEZ: This particular  
22 case --

23 SERGEANT PALKOVIC: -- Mr. Bauers gave it  
24 to you?

25 OFFICER GONZALEZ: -- gave me a small

1 baggie to --

2 SERGEANT PALKOVIC: And when you impound  
3 items, it's safe to say that there should be a  
4 report that follows that, indicating that you  
5 impounded that item, correct?

6 OFFICER GONZALEZ: Correct.

7 SERGEANT PALKOVIC: Okay. Mr. Bauers --  
8 I just spoke with him this morning on the phone,  
9 as a matter of fact. And he remembered this  
10 incident. And he told me that you had made a  
11 comment that you were going to flush this down the  
12 toilet. Is that true?

13 OFFICER GONZALEZ: Yes, it was true.

14 SERGEANT PALKOVIC: Did you flush the  
15 item down the toilet?

16 OFFICER GONZALEZ: I did, in the bathroom  
17 right there at Challenger Middle School.

18 SERGEANT PALKOVIC: Okay.

19 MS. JERICH: Can you tell us why you did  
20 that, Officer Gonzalez?

21 OFFICER GONZALEZ: Because there was --  
22 it was a school admin thing. It wasn't going any  
23 farther. It was just there for -- he just wanted  
24 a number for an admin. It was an admin procedure.  
25 It wasn't -- it wasn't enough usable amount to be



1 an arrestable defense. And I believe I did note  
2 that in the CAD when I did tell him. I did  
3 whoever that it wasn't --

4 SERGEANT PALKOVIC: You're looking at the  
5 CAD report. That's all I have.

6 OFFICER GONZALEZ: Yeah. Well, I  
7 remember telling dispatch on the phone it was not  
8 a useable amount. And I believe I cleared it with  
9 a K.

10 SERGEANT PALKOVIC: I will be more -- you  
11 did clear it with a K. And I will be more than  
12 happy to pull that particular K -- can you -- is  
13 it April 11th? Can you give me the time, please?

14 OFFICER GONZALEZ: That's 14. This was  
15 printed on the 24th.

16 MS. JERICH: 7:26 a.m., April 24.

17 And when you say "he wanted an admin,"  
18 are you talking about the vice principal?

19 OFFICER GONZALEZ: Yes. Yeah. Yeah. He  
20 just wanted -- they just wanted a number --

21 SERGEANT PALKOVIC: Right. But the  
22 incident --

23 OFFICER GONZALEZ: -- because there was a  
24 suspension.

25 SERGEANT PALKOVIC: The incident was on

1 April 11th. The -- regardless whether this  
2 printed or not --

3 OFFICER GONZALEZ: Oh, okay.

4 SERGEANT PALKOVIC: -- you cleared it  
5 that day.

6 OFFICER GONZALEZ: With a K.

7 SERGEANT PALKOVIC: So I'm going to do  
8 some research and see if you did say on tape that  
9 you flushed it down the toilet.

10 OFFICER GONZALEZ: Uh-huh (affirmative).  
11 Not a useable offense. Not a useable amount. And  
12 Mr. Bauers even said, "I just needed it for -- he  
13 was only getting suspended." There was no further  
14 prosecution on that.

15 MS. JERICH: And I presume when you say  
16 "not a useable amount," that's not an amount you  
17 can build a prosecution around --

18 OFFICER GONZALEZ: Correct.

19 MS. JERICH: -- is that correct? Okay.

20 OFFICER GONZALEZ: When -- even  
21 Mr. Bauers even said it -- we're -- it's just a  
22 suspension. He's -- the kid was in the office  
23 since 7:30, and I didn't get the call until 1:30.

24 MS. JERICH: Have you done something like  
25 that before in your training and experience --

1           OFFICER GONZALEZ:  Yes.

2           MS. JERICH:  -- with this department?

3           OFFICER GONZALEZ:  Yes.

4           MS. JERICH:  Have you ever been advised  
5 that that's inappropriate?

6           OFFICER GONZALEZ:  No.

7           MS. JERICH:  Okay.

8           SERGEANT PALKOVIC:  And on that note, you  
9 were a former field training officer with this  
10 department, correct?

11          OFFICER GONZALEZ:  Correct.

12          SERGEANT PALKOVIC:  Would you have ever  
13 trained any brand-new officer to flush anything  
14 down the toilet?

15          OFFICER GONZALEZ:  No.

16          SERGEANT PALKOVIC:  So then, therefore,  
17 if you would never have trained anybody -- and you  
18 just said to me a minute ago that anytime an  
19 administrator hands you something of evidence or  
20 any value --

21          OFFICER GONZALEZ:  Yeah.

22          SERGEANT PALKOVIC:  -- whether it's --

23          OFFICER GONZALEZ:  Narcotics.  Yeah.

24          SERGEANT PALKOVIC:  -- you impound it and  
25 you submit a report, then why did you flush this?

1           OFFICER GONZALEZ: Because it wasn't  
2 going to go anywhere. There was no prosecution  
3 behind it.

4           SERGEANT PALKOVIC: Has this department  
5 ever taught you that it's acceptable to flush  
6 anything down the toilet?

7           OFFICER GONZALEZ: No.

8           SERGEANT PALKOVIC: Okay.

9           MS. JERICH: Where -- if I may ask, then,  
10 where did you -- where did you develop the  
11 practice or idea that that was appropriate?  
12 Was --

13           OFFICER GONZALEZ: This department -- I  
14 mean, it -- it's -- I know it's not a standard  
15 practice, but I've known other officers to do  
16 that. So --

17           MS. JERICH: Is it something you've  
18 learned from other officers during training?

19           OFFICER GONZALEZ: I don't think it's  
20 something I learned from training. It's just me  
21 being lackadaisical. That's probably what it is.  
22 And I know this is not going to go anywhere  
23 because the vice principal only wanted this number  
24 for suspension purposes only. He -- they weren't  
25 going to move any further with this, and the

1 district wasn't going to go anywhere with it.

2 MS. JERICH: So even though it's not  
3 pursuant to policy, it's something that you have a  
4 -- you yourself have done, and you were aware that  
5 other officers --

6 OFFICER GONZALEZ: Yes.

7 MS. JERICH: -- have done this or do this  
8 as well?

9 OFFICER GONZALEZ: Uh-huh (affirmative).

10 MS. JERICH: Okay.

11 OFFICER GONZALEZ: Yeah. We can just  
12 probably --

13 MS. JERICH: Okay.

14 SERGEANT PALKOVIC: I want to -- I'm  
15 sorry. What's that?

16 MS. JERICH: Nothing. It's -- yeah, just  
17 those -- thank you.

18 SERGEANT PALKOVIC: I wanted to touch on  
19 a few more items here. And I'm sorry I'm bouncing  
20 around. I just -- I found these notes. Well, the  
21 next piece of paper I'm going to show you is --

22 Just so you know, Ms. Jerich, San Diego  
23 Police Department is the caretaker of our  
24 narcotics impounds --

25 MS. JERICH: Uh-huh (affirmative).

1           SERGEANT PALKOVIC:  -- and larger  
2   impounds such as weapons and things like that.  
3   All other impounds, we can impound them here in  
4   our police department.  It just -- it's a chain of  
5   custody issue.  They have an entire drug lab area  
6   down there; they prefer to have them.

7           MS. JERICH:  Uh-huh (affirmative).

8           SERGEANT PALKOVIC:  So they are the  
9   caretakers of their own records.  We have IDs that  
10  we use to enter their system --

11          MS. JERICH:  Right.

12          SERGEANT PALKOVIC:  -- to impound  
13  narcotics and things of that nature, so that it  
14  comes back to us.  And then we can use this later  
15  on in court; we can pull the drugs and things like  
16  that.

17          MS. JERICH:  Uh-huh (affirmative).

18          SERGEANT PALKOVIC:  I had phoned the  
19  property room manager with the San Diego Police  
20  Department, and I asked him to run Officer  
21  Gonzalez's name and ID number through their system  
22  from -- and it's small print, I'm sorry -- but  
23  it's from 9/1/2012 to 4/23/2013, after the  
24  April 11th incident.  And my inquiry was, "Can you  
25  tell me how many impounds Officer Gonzalez has

1 done this year between that time frame?"

2 And I'm going to let you look at this  
3 piece of paper right now so that you can look it  
4 over. And in the highlighted remarks right there,  
5 it indicates zero impounds have been put into the  
6 San Diego Police Department property room under  
7 Officer Gonzalez's name or ID number. Is that  
8 correct?

9 MS. JERICH: Well, it looks like that's  
10 what this printout says. I don't know if that's  
11 correct.

12 OFFICER GONZALEZ: It's correct.

13 SERGEANT PALKOVIC: Officer Gonzalez, can  
14 you explain this to me, why San Diego Police  
15 Department has no records of any narcotics  
16 impounds for you?

17 OFFICER GONZALEZ: Because I haven't done  
18 a lot of narcotics impounds or cases. This is  
19 probably the biggest one I've had is this one  
20 here.

21 SERGEANT PALKOVIC: So let me go back --

22 OFFICER GONZALEZ: So I don't know where  
23 you're trying to go with this. I -- this is the  
24 biggest one that I haven't impounded.

25 SERGEANT PALKOVIC: This is the biggest

1 that you've impounded at all. But there was an  
2 incident -- I want to say in October -- where you  
3 went to a house, and there was a substantial  
4 amount of marijuana found in a bag, that you were  
5 part of that investigation. I'm not going to  
6 bring that into this particular thing, but --

7 OFFICER GONZALEZ: Which one was that  
8 one?

9 SERGEANT PALKOVIC: Where you went to the  
10 house with Sergeant Jarvis Tumeldon (phonetic) --

11 OFFICER GONZALEZ: Yeah. I didn't --

12 SERGEANT PALKOVIC: -- and you went into  
13 a safe or --

14 OFFICER GONZALEZ: I had nothing to do  
15 with that. I didn't impound that, so --

16 SERGEANT HOLIDAY: (Indiscernible) did  
17 that one.

18 SERGEANT PALKOVIC: Oh, okay. Okay. So  
19 my question to you is: based off of this piece of  
20 paper that I just showed you, have you impounded  
21 any drugs into the San Diego Police Department  
22 this school year?

23 OFFICER GONZALEZ: No.

24 SERGEANT PALKOVIC: Okay. This next  
25 piece of paper I'm going to show you is a CAD



1 printout of our department's computer system. And  
2 it is -- it has listed on here all of the  
3 incidents that have been cleared with an A or an R  
4 by Officer Gonzalez since January 1, since I've  
5 been his supervisor. There are a few other  
6 incidents on here that are cleared with F's and  
7 O's and C's. Those aren't the ones that I'm  
8 referring to in this matter. There's a total of  
9 15 reports. And I'll let you look at this right  
10 now.

11 OFFICER GONZALEZ: 15?

12 SERGEANT PALKOVIC: 15 reports that are  
13 cleared with an A or an R only. The highlighted  
14 ones -- there's four highlighted reports. That  
15 matches this printout, which is the computer  
16 records management system where all the reports  
17 are entered. The highlighted reports are the only  
18 reports that we show in the entire system.  
19 There's 15 reports that were cleared. We only  
20 have four reports in the system. We're missing 11  
21 reports. Can you explain where these 11 reports  
22 may be?

23 OFFICER GONZALEZ: Probably on the  
24 computer that you have.

25 SERGEANT PALKOVIC: So these 11 reports

1 were never submitted?

2 OFFICER GONZALEZ: Probably -- no.  
3 They're not -- they're on that computer for  
4 sure --

5 SERGEANT PALKOVIC: Okay.

6 OFFICER GONZALEZ: -- because I know the  
7 -- well, I'm not sure what this 484 one is.

8 SERGEANT PALKOVIC: Was this -- well, all  
9 those --

10 OFFICER GONZALEZ: These --

11 SERGEANT PALKOVIC: -- right there you're  
12 looking at, those are -- all been submitted.

13 OFFICER GONZALEZ: Oh, okay.

14 SERGEANT PALKOVIC: Those are accounted  
15 for. So don't look at -- that top one is just to  
16 reference them.

17 MS. JERICH: So the highlighted  
18 reports --

19 SERGEANT PALKOVIC: Are -- these are the  
20 reports --

21 OFFICER GONZALEZ: These are the ones  
22 that -- so --

23 SERGEANT PALKOVIC: -- that have been  
24 accounted for. The highlighted reports are the  
25 ones that are in the system.

1 MS. JERICH: Okay.

2 OFFICER GONZALEZ: Okay.

3 SERGEANT PALKOVIC: But the reports that  
4 are --

5 OFFICER GONZALEZ: But there's no paper  
6 behind it; is that what you're trying to say?

7 SERGEANT PALKOVIC: No. There's reports  
8 there.

9 OFFICER GONZALEZ: Okay.

10 SERGEANT PALKOVIC: It's the ones that  
11 are not highlighted, the other 11 report -- the  
12 other ones that are cleared with an R and an A.  
13 Those are nowhere to be found in the system,  
14 dating all the way back from January of 2013. So  
15 if you look over to your far-right corner, you see  
16 an R, you see an A --

17 OFFICER GONZALEZ: It's all these in  
18 here.

19 SERGEANT PALKOVIC: -- it's only the R's  
20 and the A's. It is not referencing the O's, the  
21 C's. And I don't know what else is --

22 MS. JERICH: Uh-huh (affirmative).

23 OFFICER GONZALEZ: All right.

24 MS. JERICH: So it looks like you're  
25 referring to possession of alcohol, marijuana,

1 under the influence of alcohol. It looks like an  
2 attempted suicide, graffiti, theft cases, runaway  
3 juvenile, vandalism reports.

4 OFFICER GONZALEZ: Correct.

5 MS. JERICH: These are -- or either it  
6 sounds like you were the officer involved, and it  
7 resulted in a report, is it, or an arrest.

8 And your inquiry is, where are the actual  
9 documented reports --

10 SERGEANT PALKOVIC: Correct.

11 MS. JERICH: -- regarding these  
12 incidents?

13 Do you understand the question?

14 OFFICER GONZALEZ: Yes.

15 MS. JERICH: Okay. Do you have any -- as  
16 we sit here today, do you have an independent  
17 recollection of -- I mean, I know it's -- you're  
18 only looking at report numbers and a general  
19 description -- but of these incidents?

20 OFFICER GONZALEZ: Some of them I do  
21 remember, and some of them I don't.

22 MS. JERICH: Okay. Do you know -- did  
23 you begin -- why don't you tell us about your  
24 report-writing process for the reports at issue  
25 here.

1           OFFICER GONZALEZ: I mean, just go from  
2 one to one? I don't -- I --

3           MS. JERICH: Well, in general, did -- do  
4 you normally -- is it your practice to begin  
5 writing the report the day of an arrest?

6           OFFICER GONZALEZ: Yeah.

7           MS. JERICH: Okay.

8           OFFICER GONZALEZ: The day -- usually  
9 when I get a call or get something that comes into  
10 my office or an officer call, my initial thing is  
11 to take in a report -- investigation, interview  
12 it, and so forth, then if time needed or time  
13 being, to finish the report. Normally, we're --  
14 because we're such a small agency, there's -- we  
15 tend to get backed up on calls. And I know I'm  
16 not a, you know, report guru. You know, these  
17 could have been -- just been stacked and never  
18 finished. But I do -- I do start reports. I do  
19 start my reports of my investigations.

20           MS. JERICH: When you say "stacked," do  
21 you mean you just --

22           OFFICER GONZALEZ: Calls after call after  
23 call.

24           MS. JERICH: So you -- again, just --

25           OFFICER GONZALEZ: Right.

1 MS. JERICH: And I don't want to put  
2 words in mouth. But you just got busy and --

3 OFFICER GONZALEZ: Right. And --

4 MS. JERICH: -- didn't finish what you  
5 started?

6 OFFICER GONZALEZ: And the thing is, is  
7 that the CAD doesn't like to have O's, so  
8 normally, they're going to be an R and A, so we  
9 can further investigate after the fact if needed.  
10 But some of these reports did get turned in, the  
11 ones that are not highlighted.

12 SERGEANT PALKOVIC: I'm just going off of  
13 what the computer's telling me that's --

14 OFFICER GONZALEZ: Right.

15 SERGEANT PALKOVIC: My concern here is  
16 the reports that are cleared with an A are  
17 indication that there was an arrest made. That's  
18 what the A stands for, an arrest, correct?

19 OFFICER GONZALEZ: Understand. Yeah,  
20 absolutely. Yeah, correct.

21 SERGEANT PALKOVIC: If those reports have  
22 never made it through the system, and you told the  
23 individual they're under arrest --

24 OFFICER GONZALEZ: But theoretically,  
25 these reports get turned in. That's the thing.

1 I'm --

2 SERGEANT PALKOVIC: But -- well, we're  
3 not --

4 OFFICER GONZALEZ: That's what I'm  
5 trying --

6 SERGEANT PALKOVIC: But we're not talking  
7 theoretically here.

8 OFFICER GONZALEZ: Well --

9 SERGEANT PALKOVIC: We're talking facts.

10 OFFICER GONZALEZ: Well --

11 MS. JERICH: Do you have a recollection  
12 of having turned some of the reports in, Officer  
13 Gonzalez, that are at least -- I think what I'm  
14 hearing is you have no record of having --

15 OFFICER GONZALEZ: Correct.

16 MS. JERICH: -- the actual --

17 OFFICER GONZALEZ: No. I do recollect  
18 putting some of these reports in, actually giving  
19 them to detectives and sergeants and so forth.  
20 Not the sergeants -- per se to you, you being my  
21 immediate supervisor, but other sergeants in --  
22 yeah.

23 MS. JERICH: What other sergeants would  
24 you have -- or detectives would you have turned  
25 some of these -- as a --

1           OFFICER GONZALEZ: Sergeant Jarvis is one  
2 of the other sergeants that I worked under. Newly  
3 Detective Gresham (phonetic) because some of the  
4 calls here are from his area and some of them that  
5 are still in that system.

6           MS. JERICH: And some of the -- some of  
7 these reports are still in the system --

8           OFFICER GONZALEZ: Uh-huh (affirmative).

9           MS. JERICH: -- and you're still working  
10 on them?

11           OFFICER GONZALEZ: Well, they just need  
12 to be turned in. They're completed. And some of  
13 these things that says that I'm an initial -- that  
14 I took the call, but I've -- never was the initial  
15 agent on it. So I don't know how I got some of  
16 these calls anyways to begin with.

17           SERGEANT PALKOVIC: Well, these are --

18           OFFICER GONZALEZ: But the -- but like I  
19 understand what you're saying, that it's my name  
20 behind it. But a lot of these are ones -- I was  
21 just more of the photographer on these graffiti  
22 ones.

23           SERGEANT PALKOVIC: But these are the  
24 particular -- these particular calls on that  
25 paper --



1           OFFICER GONZALEZ: Right.

2           SERGEANT PALKOVIC: -- are calls that you  
3 physically cleared, whether it be on the phone or  
4 the radio. These aren't the ones that you maybe  
5 assisted on a call with or something like that.  
6 The only way that call can be cleared --

7           OFFICER GONZALEZ: The one that went  
8 through it.

9           SERGEANT PALKOVIC: -- is by that  
10 particular officer.

11          OFFICER GONZALEZ: Understandable. 15  
12 reports. That's pretty good, from my stature.

13          SERGEANT PALKOVIC: Sergeant Holiday, do  
14 you have anything that you'd like to add? Because  
15 I'm pretty much wrapped up with my things.

16          SERGEANT HOLIDAY: I have a couple of  
17 things.

18          Tony, does the -- are you familiar with  
19 the impound policy?

20          OFFICER GONZALEZ: Through our district  
21 or through our --

22          SERGEANT HOLIDAY: Our department.

23          OFFICER GONZALEZ: Our department?

24          SERGEANT HOLIDAY: Yeah.

25          OFFICER GONZALEZ: For -- somewhat. Yes.

1           SERGEANT HOLIDAY: Okay. Does our policy  
2 give any discretion as to what amount of marijuana  
3 you can impound or not impound?

4           OFFICER GONZALEZ: Not that I recall.  
5 No.

6           SERGEANT HOLIDAY: Okay. Where did you  
7 learn about a chain of custody?

8           OFFICER GONZALEZ: Through my training  
9 here --

10          SERGEANT HOLIDAY: Okay.

11          OFFICER GONZALEZ: -- of school P.D.

12          SERGEANT HOLIDAY: You went to -- did you  
13 go to the police department academy -- or police  
14 academy?

15          OFFICER GONZALEZ: I went through  
16 Southwestern. I put myself through the academy.

17          SERGEANT HOLIDAY: And does the academy  
18 -- they talk about chain of custody?

19          OFFICER GONZALEZ: Yes.

20          SERGEANT HOLIDAY: Okay. In any of those  
21 trainings, do they tell you the importance of  
22 impounding evidence and making sure that it's  
23 impounded in a timely manner and not to give it  
24 out to another person or lock it in an unsecured  
25 area?

1           OFFICER GONZALEZ: Right. About mutation  
2 and so forth. Yes.

3           SERGEANT HOLIDAY: All right. When  
4 you're investigating these cases that have a  
5 minute amount, what -- what's the threshold you  
6 use for flushing? I mean, what -- how -- what's  
7 your judgement as far as what you feel is  
8 tolerable or intolerable as far as flushing and --  
9 versus impounding? Does that make sense?

10          OFFICER GONZALEZ: Yes and no. For one,  
11 there is no tolerable for flushing down any kind  
12 of evidence.

13          SERGEANT HOLIDAY: Okay. But you -- but  
14 you have, though, right?

15          OFFICER GONZALEZ: Yes.

16          SERGEANT HOLIDAY: And I don't know, I  
17 guess what I'm trying to say is you must kind of  
18 have an idea of, you know, where it's a joint or  
19 more -- or joint -- or less is when you --

20          OFFICER GONZALEZ: When -- this wouldn't  
21 -- I wouldn't even call -- the one particular case  
22 about flushing down that one -- that wasn't even a  
23 joint per se.

24          SERGEANT HOLIDAY: Okay. So it is -- is  
25 it right or wrong to flush marijuana --

1           OFFICER GONZALEZ: Wrong.

2           SERGEANT HOLIDAY: -- contraband?

3           OFFICER GONZALEZ: Contraband -- correct,  
4 it's wrong.

5           SERGEANT HOLIDAY: You mentioned that  
6 there's other officers that flush. Who are those  
7 officers?

8           OFFICER GONZALEZ: I'd rather not say. I  
9 mean, I'm not here to get those in trouble.  
10 I'm --

11           SERGEANT HOLIDAY: Well --

12           OFFICER GONZALEZ: -- only here for  
13 myself.

14           SERGEANT HOLIDAY: -- understand that  
15 Officer Palkovic ordered you to answer all  
16 questions truthfully and honestly. I expect to  
17 hear -- I know it's not an easy to thing to,  
18 but --

19           OFFICER GONZALEZ: Uh-huh (affirmative).

20           SERGEANT HOLIDAY: -- it's something we  
21 need to deal with.

22           MS. JERICH: Everything you say here is  
23 confidential.

24           OFFICER GONZALEZ: Right.

25           MS. JERICH: And you have been ordered to

1 truthfully answer if you know or recall names of  
2 any other officers you may have --

3 OFFICER GONZALEZ: Well, those officers  
4 are no longer here, but the majority of them were

5 Redacted

6 Redacted

7 Redacted That's all I can recall.

8 SERGEANT HOLIDAY: Okay. Redacted

9 Redacted They've been gone --  
10 and Redacted Were they probably at least -- Redacted  
11 hasn't been around in two years. Redacted

12 Redacted , three to four or five years.

13 OFFICER GONZALEZ: Right.

14 SERGEANT HOLIDAY: So that window -- you  
15 haven't seen other officers or talked to any other  
16 officers about flushing contraband or marijuana?

17 OFFICER GONZALEZ: No.

18 SERGEANT HOLIDAY: Okay.

19 OFFICER GONZALEZ: I know officers who  
20 don't impound in a timely manner. I mean, that's  
21 a standard thing that we've -- this department has  
22 a notion for. I know some officers, they wait to  
23 two days or three days to wait until the impound.

24 SERGEANT HOLIDAY: Okay.

25 OFFICER GONZALEZ: And I'm guilty of one

1 of them also.

2 SERGEANT HOLIDAY: Did Redacted ,  
3 Redacted ever tell you that it was  
4 okay to flush? Did they ever tell you this?

5 OFFICER GONZALEZ: Never mentioned any of  
6 that. They never said anything. But I witnessed  
7 it though.

8 SERGEANT HOLIDAY: Okay. You witnessed  
9 them flushing it? And --

10 OFFICER GONZALEZ: Uh-huh (affirmative).

11 SERGEANT HOLIDAY: -- did any of them  
12 tell you that, in their experience, that it's been  
13 successful to flush it?

14 OFFICER GONZALEZ: No.

15 SERGEANT HOLIDAY: You have reports that  
16 are stacked and not finished. Where are those  
17 reports?

18 OFFICER GONZALEZ: Probably in that  
19 computer tower that you guys have -- that school  
20 P.D. has.

21 SERGEANT HOLIDAY: I think that's all I  
22 have.

23 SERGEANT PALKOVIC: I did come across a  
24 few more things I'd like to ask. I'm going to  
25 show you a picture of a bottle of Malibu Rum.

1 This picture and this particular bottle was found  
2 in your office --

3 OFFICER GONZALEZ: Uh-huh (affirmative).

4 SERGEANT PALKOVIC: -- correct?

5 OFFICER GONZALEZ: Uh-huh (affirmative).

6 SERGEANT PALKOVIC: On the day where we  
7 asked you to give us your ID and your keys and  
8 things of that nature -- I'm sorry -- in the  
9 morning on that day --

10 OFFICER GONZALEZ: Okay.

11 SERGEANT PALKOVIC: -- on the 25th. And  
12 that bottle was completely full, correct?

13 OFFICER GONZALEZ: Yes, brand new.

14 SERGEANT PALKOVIC: And do you remember  
15 what I did with it?

16 OFFICER GONZALEZ: Yeah. You dumped it  
17 out.

18 SERGEANT PALKOVIC: And that bottle is  
19 related to an incident where you made an arrest on  
20 a student?

21 OFFICER GONZALEZ: I made a report, but  
22 never arrested the student because the fact it was  
23 never proven it was his.

24 SERGEANT PALKOVIC: Because the report  
25 that I have is an arrest report. It's on my desk.

1           OFFICER GONZALEZ: He never claimed it  
2 was his, so I still did a report on it.

3           SERGEANT PALKOVIC: And do you remember  
4 the comment that you made to me regarding why it  
5 was still full and why the bottle was still in  
6 your office?

7           OFFICER GONZALEZ: I hold it for evidence  
8 for the admin side of it all when it goes to --  
9 what you call it -- the --

10          SERGEANT PALKOVIC: Hearing and  
11 placement.

12          OFFICER GONZALEZ: -- hearing and  
13 placement.

14          SERGEANT PALKOVIC: Correct. Although  
15 that is -- it's violation in policy to keep the  
16 liquid in there, do you still do that for hearing  
17 and placement purposes?

18          OFFICER GONZALEZ: Yes.

19          SERGEANT PALKOVIC: Okay. And then the  
20 last thing that I have would be -- this is another  
21 student profile of a student by the name of Redacted  
22 (phonetic) Redacted who was involved in the  
23 original incident of 4/11.

24          MS. JERICH: Uh-huh (affirmative).

25          SERGEANT PALKOVIC: This is the



1 individual who admitted to owning the glass pipe,  
2 which is this.

3 MS. JERICH: Uh-huh (affirmative).

4 SERGEANT PALKOVIC: And I just would like  
5 to note on the bottom of this, it says,  
6 "Suspension for possession of pipe and admitting  
7 to smoking before school and driving. Arrested  
8 for possession of pipe." This is from the  
9 administrator at the school. This is her  
10 handwriting. And I wanted to ask you again,  
11 Officer Gonzalez: did you arrest Redacted ?

12 OFFICER GONZALEZ: I did not arrest Redacted  
13 Redacted .

14 SERGEANT PALKOVIC: Redacted dad --  
15 was he present at the school?

16 OFFICER GONZALEZ: I don't know if he was  
17 or not. Not to the day I'm not -- not my  
18 knowledge. No.

19 SERGEANT PALKOVIC: So you don't recall  
20 telling Redacted and his son that his son had  
21 been arrested and that they were going to go to  
22 court, and you needed to do the paperwork?

23 OFFICER GONZALEZ: No. I never -- I  
24 don't recall talking to Mr. -- about that, being  
25 arrested for that.

1 SERGEANT PALKOVIC: Okay.

2 OFFICER GONZALEZ: I know the pipe was  
3 found in his vehicle, but he never took ownership  
4 for it.

5 SERGEANT PALKOVIC: Because Redacted  
6 had told me that yes, you had arrested his son. I  
7 just wanted to make -- I just wanted to see what  
8 your answer to that whole thing was. Okay.

9 OFFICER GONZALEZ: Well, no. I never  
10 made any -- I would have -- there would have been  
11 a report behind it if there was. There would have  
12 been a top sheet on him --

13 SERGEANT PALKOVIC: Okay.

14 OFFICER GONZALEZ: -- a JCR.

15 SERGEANT PALKOVIC: Okay.

16 OFFICER GONZALEZ: And if there's not a  
17 JCR, then I wasn't -- I did not -- did not arrest  
18 him.

19 SERGEANT PALKOVIC: Anything else?

20 SERGEANT HOLIDAY: No.

21 SERGEANT PALKOVIC: Do you have any  
22 questions of us?

23 MS. JERICH: I do not.

24 Anything to add, Tony?

25 OFFICER GONZALEZ: No.

1           SERGEANT PALKOVIC: I want to read you  
2 one last little closing comment, if I may, please.  
3 Officer Anthony Gonzalez, I am going to order you  
4 not to discuss this interview or this  
5 investigation with anyone other than your  
6 representative or Chief Littlejohn, Lieutenant  
7 Florentino, Lieutenant Marquez, Sergeant Holiday,  
8 or myself. Any violation of this order may result  
9 in administrative discipline up to and including  
10 termination. Do you understand this?

11           OFFICER GONZALEZ: Yes.

12           SERGEANT PALKOVIC: Okay. Thank you.

13           (END OF RECORDING)

## 1 CERTIFICATE OF TRANSCRIPTIONIST

2 I certify that the foregoing is a true  
3 and accurate transcript of the digital recording  
4 provided to me in this matter.

5 I do further certify that I am neither a  
6 relative, nor employee, nor attorney of any of the  
7 parties to this action, and that I am not  
8 financially interested in the action.

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17 Julie Thompson, CET-1036  
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TRANSCRIPT OF INTERVIEW

Redacted

BY SERGEANT DAN PALKOVIC

MAY 3 , 2013

1 (FILE 130403\_000)

2 SERGEANT PALKOVIC: This interview is  
3 with Redacted on 5/3/2013 at 10:58. This is  
4 in regards to the incident on 4/11/2013.

5 Redacted could you do me a favor and tell me  
6 about the incident from the start, when you got to  
7 school that morning.

8 Redacted Got to school. Met up  
9 with my friends at Carl's Jr., smoked, and just  
10 came back to school. We were airing out the car,  
11 and then coach walked in.

12 SERGEANT PALKOVIC: All right. We got to  
13 get a little bit more detail than that. So you  
14 met with a bunch of friends at Carl's Jr. across  
15 the street?

16 Redacted Yeah.

17 SERGEANT PALKOVIC: And you guys smoked  
18 in the parking lot there?

19 Redacted Yeah.

20 SERGEANT PALKOVIC: Okay. You came over  
21 to school.

22 Redacted Yep.

23 SERGEANT PALKOVIC: And then how did you  
24 end up in that car?

25 Redacted No. Because --

1 SERGEANT PALKOVIC: In the white car?

2 Redacted Because Redacted picked me up  
3 from home, and then we me everybody there. Then I  
4 hopped in Redacted car, the white car.

5 SERGEANT PALKOVIC: Okay.

6 Redacted And then we came here, and  
7 we all parked in the back.

8 SERGEANT PALKOVIC: So Redacted brought you  
9 here?

10 Redacted Yeah.

11 SERGEANT PALKOVIC: And then you guys  
12 parked over by the storage bins?

13 Redacted Yeah.

14 SERGEANT PALKOVIC: And then everybody  
15 was sitting in the car. Who were all the guys  
16 sitting in the car?

17 Redacted It was Redacted -- let me  
18 think. Redacted Redacted That's all I could remember  
19 who was in the car.

20 SERGEANT PALKOVIC: Was anybody smoking  
21 in the car?

22 Redacted No.

23 SERGEANT PALKOVIC: You guys had already  
24 done that?

25 Redacted Yeah.

1                   SERGEANT PALKOVIC: What part of the car  
2 were you sitting in?

3                   Redacted                   The backseat.

4                   SERGEANT PALKOVIC: Okay. So then you're  
5 all in the car, and then who comes walking up?

6                   Redacted                   Coach Taylor.

7                   SERGEANT PALKOVIC: And what did he say  
8 or do?

9                   Redacted                   He said, "It smells like  
10 weed." And then he said, "I got to call the  
11 school officer."

12                  SERGEANT PALKOVIC: Okay.

13                  Redacted                   And he called  
14 (Indiscernible).

15                  SERGEANT PALKOVIC: So then what happened  
16 from there?

17                  Redacted                   They just brought us in  
18 here.

19                  SERGEANT PALKOVIC: No, no, no. Back up.  
20 You guys were in the car.

21                  Redacted                   Yeah.

22                  SERGEANT PALKOVIC: Coach Taylor is  
23 there, and then he calls for security? So then  
24 they come out to the car?

25                  Redacted                   Yeah.



1 SERGEANT PALKOVIC: So what happened  
2 there?

3 Redacted They -- they sat us down.  
4 They checked all of our stuff, sat us down. Then  
5 they brought us in here, sat us down in here.  
6 Then they started bringing us in here one by one,  
7 and then they started questioning us.

8 SERGEANT PALKOVIC: And in here meaning  
9 the police office?

10 Redacted Police office, right.

11 SERGEANT PALKOVIC: And who was  
12 questioning you?

13 Redacted Officer Gonzalez.

14 SERGEANT PALKOVIC: Okay. What was the  
15 things he was saying?

16 Redacted He was just like, "Are you  
17 high? How much weed was it? Is this yours?" And  
18 I just said yes to everything.

19 SERGEANT PALKOVIC: Okay. Did he tell  
20 you that you were under arrest?

21 Redacted Yeah.

22 SERGEANT PALKOVIC: Did he read you your  
23 rights?

24 Redacted Yes.

25 SERGEANT PALKOVIC: And you agreed to

1 speak with him?

2 Redacted Yes.

3 SERGEANT PALKOVIC: Okay. So before you  
4 came in here -- let's go back to the car again  
5 because I think there's a little bit more that  
6 happened there. I just want to see if you  
7 remember.

8 You're sitting in the car with your  
9 friends. Coach Taylor comes up.

10 Redacted Uh-huh (affirmative).

11 SERGEANT PALKOVIC: He calls for  
12 security. Do you guys get out of the car, or do  
13 you stay in the car?

14 Redacted We got out of the car.

15 SERGEANT PALKOVIC: Okay. So everybody  
16 gets out of the car.

17 Redacted Yeah.

18 SERGEANT PALKOVIC: Security shows up.

19 Redacted Yeah. And then who asks  
20 you to empty your pockets, or who searches you?

21 Redacted Security and Officer  
22 Gonzalez.

23 SERGEANT PALKOVIC: So they --

24 Redacted They say line up one by  
25 one, and then we walk in a line. We put all our

1 stuff on a cart and then sit down on the log.

2 SERGEANT PALKOVIC: Okay. And then you  
3 sat where?

4 Redacted On the log.

5 SERGEANT PALKOVIC: On the log.

6 Redacted Yeah.

7 SERGEANT PALKOVIC: So after everybody  
8 emptied their pockets, you each went and sat on  
9 the log?

10 Redacted Uh-huh (affirmative).

11 SERGEANT PALKOVIC: Okay. Was there any  
12 drugs, paraphernalia, like smoking devices,  
13 lighters, any of that stuff found out there?

14 Redacted They found a lighter.

15 SERGEANT PALKOVIC: When you say "they,"  
16 you know who?

17 Redacted I think their security  
18 did.

19 SERGEANT PALKOVIC: They found a lighter  
20 where?

21 Redacted Like sitting -- like to  
22 the left of where we're sitting.

23 SERGEANT PALKOVIC: By the log?

24 Redacted Yeah.

25 SERGEANT PALKOVIC: Okay. Was there

1 anything in the vehicle that was found?

2 Redacted A piece.

3 SERGEANT PALKOVIC: A piece?

4 Redacted Yeah.

5 SERGEANT PALKOVIC: What's a piece?

6 Redacted Like a little pipe.

7 SERGEANT PALKOVIC: Okay.

8 Redacted Yeah.

9 SERGEANT PALKOVIC: So a pipe was found  
10 in the car. Do you know who found that?

11 Redacted Coach Taylor.

12 SERGEANT PALKOVIC: Coach Taylor found  
13 the pipe?

14 Redacted Yeah.

15 SERGEANT PALKOVIC: And then how about  
16 the drugs? Were there any drugs found?

17 Redacted Yeah. I had nug -- a nug  
18 jar and 1.65 on me I guess.

19 SERGEANT PALKOVIC: What -- when you say  
20 "nug" --

21 Redacted Like a jar.

22 SERGEANT PALKOVIC: Explain nug.

23 Redacted Like -- like a little nug  
24 jar like -- I don't know like a medicine capsule  
25 thing.

1                   SERGEANT PALKOVIC:   Okay.   Like a  
2   prescription bottle --

3                   Redacted                   Yeah.

4                   SERGEANT PALKOVIC:   -- type thing?

5                   Redacted                   Prescription bottle.  
6   Yeah.

7                   SERGEANT PALKOVIC:   Is it your typical  
8   yellow prescription bottle with the white top.

9                   Redacted                   No.   It was purple.

10                  SERGEANT PALKOVIC:   It was purple?

11                  Redacted                   Yeah.

12                  SERGEANT PALKOVIC:   Was it one of the  
13   taller ones or shorter one?

14                  Redacted                   It was like a -- this big,  
15   small.

16                  SERGEANT PALKOVIC:   Okay.   So -- and when  
17   you do this, the tape recorder can't see that.   So  
18   that's about two, three inches?

19                  Redacted                   Yeah.   Like four inches,  
20   five inches.

21                  SERGEANT PALKOVIC:   Four inches, five  
22   inches --

23                  Redacted                   Yeah.

24                  SERGEANT PALKOVIC:   -- tall?   And how  
25   much was in there?

1                   Redacted                   1.65 or 67.

2                   SERGEANT PALKOVIC:   And where did you get  
3                   that -- that weight from?

4                   Redacted                   He scaled it out himself.

5                   SERGEANT PALKOVIC:   Who did?

6                   Redacted                   Officer Gonzalez.

7                   SERGEANT PALKOVIC:   So when you were in  
8                   here, Officer Gonzalez weighed that?

9                   Redacted                   Yes.   And made sure it  
10                  wasn't like more than an ounce or --

11                  SERGEANT PALKOVIC:   And what did he use  
12                  to weigh that?

13                  Redacted                   A scale.

14                  SERGEANT PALKOVIC:   And where did he get  
15                  that scale?

16                  Redacted                   His desk right here.

17                  SERGEANT PALKOVIC:   So he pulled out a  
18                  scale from his desk, and he weighed the marijuana?

19                  Redacted                   Yeah.

20                  SERGEANT PALKOVIC:   Okay.   What else?   So  
21                  they found the drugs on you, the pipe in the car,  
22                  and you think they found a lighter on the ground?

23                  Redacted                   (No audible response)

24                  SERGEANT PALKOVIC:   And then everybody  
25                  was brought back to the office?

1                   Redacted                   Uh-huh (affirmative).

2                   SERGEANT PALKOVIC:   And then each of you  
3 went and saw your vice principals?

4                   Redacted                   No.   First we made our  
5 statements, wrote down our statements.

6                   SERGEANT PALKOVIC:   Okay.

7                   Redacted                   We talked to the officer.  
8 Then we went to the nurse because like they wanted  
9 to make sure we -- that -- if we were high.

10                  SERGEANT PALKOVIC:   Okay.

11                  Redacted                   And they found like that  
12 four of us were high and --

13                  SERGEANT PALKOVIC:   And you admitted to  
14 it the whole time?

15                  Redacted                   Yeah.

16                  SERGEANT PALKOVIC:   Okay.   All right.  
17 Are you the only one who spoke to the officer?

18                  Redacted                   No.   Everybody did.

19                  SERGEANT PALKOVIC:   Every one of the  
20 students came in here and talked to him?

21                  Redacted                   Yeah.

22                  SERGEANT PALKOVIC:   Are you the only one  
23 who got arrested?

24                  Redacted                   Yeah, I think.

25                  SERGEANT PALKOVIC:   As far as you know?

1                   Redacted                   Yeah. As far as I know.

2                   SERGEANT PALKOVIC: Okay. And what were  
3 you told you were arrested for?

4                   Redacted                   Being high -- or bringing  
5 drugs to campus like on campus.

6                   SERGEANT PALKOVIC: All right. What did  
7 the officer tell you that would happen to you?

8                   Redacted                   If -- well, he said -- he  
9 said it really isn't enough to go to jail for, but  
10 he said that he had to read me my rights because I  
11 had drugs on campus. And then he said that he  
12 wouldn't take me to jail. That my vice principal  
13 would have to like make the decision to suspend  
14 me.

15                   SERGEANT PALKOVIC: Okay. So did you get  
16 suspended?

17                   Redacted                   Yeah.

18                   SERGEANT PALKOVIC: Did he physically  
19 search you?

20                   Redacted                   Yeah.

21                   SERGEANT PALKOVIC: The officer did?

22                   Redacted                   Yeah. They patted me  
23 down.

24                   SERGEANT PALKOVIC: So he put his hands  
25 in your pockets and everything?



1                   Redacted                   Yeah.

2                   SERGEANT PALKOVIC:   Okay.   You have any  
3 questions for me?

4                   Redacted                   No.

5                   SERGEANT PALKOVIC:   If I show you a  
6 picture of the container with the drugs, would you  
7 recognize it?

8                   Redacted                   Uh-huh (affirmative).

9                   SERGEANT PALKOVIC:   Is this -- where did  
10 you get the container from?

11                  Redacted                   I don't even know.   A  
12 friend gave it to me.

13                  SERGEANT PALKOVIC:   He gave you the  
14 container?

15                  Redacted                   Like a couple days before  
16 actually.

17                  SERGEANT PALKOVIC:   Okay.   And did you  
18 buy the weed here or somewhere else?

19                  Redacted                   Somewhere else.

20                  SERGEANT PALKOVIC:   So the picture of the  
21 purple container with the weed in it is yours, or  
22 that was what you had?

23                  Redacted                   That's what I had.

24                  SERGEANT PALKOVIC:   Okay.   And this is  
25 the pipe that was found inside the car?

1                   Redacted                   Inside the car.

2                   SERGEANT PALKOVIC:   And describe that to  
3 me real quick.

4                   Redacted                   Like a -- it's black with  
5 blue -- it's black -- it's clear with black and  
6 blue design on it.

7                   SERGEANT PALKOVIC:   Is it glass or  
8 plastic?

9                   Redacted                   It's glass.

10                  SERGEANT PALKOVIC:   It's glass.   Okay.  
11 Good.   That's all I need.

12                  (END OF RECORDING)

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## 1 CERTIFICATE OF TRANSCRIPTIONIST

2 I certify that the foregoing is a true  
3 and accurate transcript of the digital recording  
4 provided to me in this matter.

5 I do further certify that I am neither a  
6 relative, nor employee, nor attorney of any of the  
7 parties to this action, and that I am not  
8 financially interested in the action.

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17 Julie Thompson, CET-1036  
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10 TRANSCRIPT OF INTERVIEW  
11 SARA LEONARD  
12 BY SERGEANT DAN PALKOVIC  
13 MAY 10 , 2013  
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Page 1

1 (FILE 130510\_001)

2 SERGEANT PALKOVIC: Okay. I am with Sara  
3 Leonard, vice principal, and this is a 5/10/2013  
4 at eight o'clock. And we're going to talk about  
5 the incident on 4/11/2013. So can you please tell  
6 me your role in this whole entire thing.

7 MS. LEONARD: I was in my office, and  
8 heard that there was a group of students that  
9 would be coming in with drugs needing suspensions  
10 or -- you know, under the influence, that kind of  
11 thing. And all of the students were out in the  
12 counseling room when I came out of my office, and  
13 they were sitting writing their statements about  
14 what had happened.

15 We were reading statements, and I asked  
16 Frannie Del Carmen, the other VP, if we needed to  
17 search students, and she told me no, that it had  
18 already been done. So I, you know, kind of looked  
19 through the alphabetical last names of which kids  
20 I would be dealing with, and she started to walk  
21 the kids one time -- one at a time over to the  
22 nurse to have her assess them, you know, to see if  
23 they were under the influence or whatnot in her  
24 opinion.

25 And when she and I started to talk and

1 look at, you know, who was under the influence,  
2 who was in possession, there were two students who  
3 I was told were being arrested, one for having a  
4 pipe and one for having marijuana. And they  
5 weren't in my alphabet, so I knew Virginia would  
6 be handling those suspensions.

7 But at one point when I was in the police  
8 office, I did see a vial of marijuana, and I made  
9 a comment that it looked like a lot. And I  
10 wondered if it was enough for expulsion just based  
11 on the grams or the amount. But I didn't really  
12 concern myself with it because I knew Virginia and  
13 Officer Gonzalez were handling that part.

14 And then I just continued on with the  
15 other suspensions and, you know, signing kids up  
16 for inside (indiscernible) classes that I had to  
17 deal with.

18 SERGEANT PALKOVIC: If I were to show you  
19 a picture of the vial, would you -- do you think  
20 you'd be able to identify it?

21 MS. LEONARD: Yeah.

22 SERGEANT PALKOVIC: And then did you see  
23 anything else, like a pipe or anything?

24 MS. LEONARD: I did not see the pipe.

25 SERGEANT PALKOVIC: Okay.

1 MS. LEONARD: I knew there was. I  
2 believe they said it was a glass or ceramic type  
3 pipe, but I did not see the pipe.

4 SERGEANT PALKOVIC: You by chance  
5 remember the kids' names that were -- that were in  
6 possession of marijuana or pipe?

7 MS. LEONARD: I want to say one was Redacted  
8 Redacted and the other one -- was it -- Redacted Redacted  
9 Redacted I think were the two.

10 SERGEANT PALKOVIC: Okay. You recognize  
11 either of those two?

12 MS. LEONARD: I recognize the marijuana.  
13 Yes.

14 SERGEANT PALKOVIC: And does that look  
15 like the large amount that you saw that day?

16 MS. LEONARD: Yeah. I mean, from the  
17 angle, yeah. Because I remember thinking it was  
18 like a big bulb or a ball. So not like the usual  
19 little packy kind of thing.

20 SERGEANT PALKOVIC: Okay. So that's what  
21 you were referring to when you said "large  
22 amount." Was it like a big bud?

23 MS. LEONARD: Yeah.

24 SERGEANT PALKOVIC: And just a lot of it  
25 in one little setting?

1 MS. LEONARD: Yeah. Like one big clump.  
2 Yeah.

3 SERGEANT PALKOVIC: Big clump, okay. Do  
4 you know what happened with the drugs or the  
5 arrests? Do you know if it went anywhere from  
6 there?

7 MS. LEONARD: I do not.

8 SERGEANT PALKOVIC: You just left it in  
9 Officer Gonzalez's hands? Okay.

10 MS. LEONARD: And Virginia's. Yeah.

11 SERGEANT PALKOVIC: Thank you very much.

12 (END OF RECORDING)  
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## 1 CERTIFICATE OF TRANSCRIPTIONIST

2 I certify that the foregoing is a true  
3 and accurate transcript of the digital recording  
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6 relative, nor employee, nor attorney of any of the  
7 parties to this action, and that I am not  
8 financially interested in the action.

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17 Julie Thompson, CET-1036  
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TRANSCRIPT OF INTERVIEW

Redacted

BY SERGEANT DAN PALKOVIC

APRIL 30 , 2013

1 (FILE 070217\_007)

2 SERGEANT PALKOVIC: This interview is  
3 with Redacted on 4/30/2013 at 1305 hours. This  
4 is in regards to the incident on April 11th.

5 So what I would like you to do is tell me  
6 from the time you got to school what happened --  
7 like you obviously went over there -- what  
8 happened over there and then when you guys came up  
9 to the office, okay.

10 Redacted All right. But -- all right.  
11 So I'll start off by saying that I usually drive  
12 back there and just park my car back there, and  
13 then that day I met up with those kids that were  
14 chilling in the car. And I was found in the car  
15 with them, and the police -- or the security guys  
16 pulled us out of the car and searched the car.  
17 And they found a piece and some stuff like that,  
18 and they just took us up to the office and just  
19 got our names down and stuff.

20 SERGEANT PALKOVIC: All right. I'm going  
21 to go back a little bit, so we can kind of break  
22 this up because that was like the real quick down  
23 and dirty version.

24 Redacted Yeah.

25 SERGEANT PALKOVIC: So I want to get a

1 little more into it.

2 Redacted Right.

3 SERGEANT PALKOVIC: You drive to school  
4 every day?

5 Redacted Yeah.

6 SERGEANT PALKOVIC: So you typically park  
7 back there?

8 Redacted Yeah, usually.

9 SERGEANT PALKOVIC: Okay. Which a lot of  
10 kids do.

11 Redacted Yeah.

12 SERGEANT PALKOVIC: All right. So you  
13 park back there, and you see a bunch of your  
14 friends. And is it Redacted

15 Redacted Yeah, Redacted

16 SERGEANT PALKOVIC: Redacted car?

17 Redacted Yes.

18 SERGEANT PALKOVIC: Okay. So you see a  
19 bunch of people over there, so you go over there?

20 Redacted Yeah.

21 SERGEANT PALKOVIC: Were you one of the  
22 ones that got in the car?

23 Redacted Yes, I was.

24 SERGEANT PALKOVIC: Okay. So you're in  
25 the car, and then people start smoking weed?

1                   Redacted           Yeah.

2                   SERGEANT PALKOVIC:   Correct?

3                   Redacted           Correct.

4                   SERGEANT PALKOVIC:   Out of what?

5                   Redacted           Out of the piece.

6                   SERGEANT PALKOVIC:   The piece?

7                   Redacted           Yes.

8                   SERGEANT PALKOVIC:   What's a piece?

9                   Redacted           Like a pipe.

10                  SERGEANT PALKOVIC:   Okay.   So they're  
11 smoking out of a pipe.

12                  Redacted           Yeah.

13                  SERGEANT PALKOVIC:   And as far as I know  
14 it was Redacted   I guess --

15                  Redacted           Yeah.   It was Redacted

16                  SERGEANT PALKOVIC:   -- was smoking?

17                  Redacted           It Redacted   pipe.

18                  SERGEANT PALKOVIC:   Sounds like you might  
19 have been smoking too, but whatever.

20                  Redacted           It was Redacted   pipe.

21                  SERGEANT PALKOVIC:   It was Redacted   pipe.

22 Were the windows up or down?

23                  Redacted           They were up.

24                  SERGEANT PALKOVIC:   So the windows are  
25 up, and you guys are smoking?

1                   Redacted                   Yeah. I wasn't smoking, but

2                   --

3                   SERGEANT PALKOVIC: But you're in the  
4 car?

5                   Redacted                   Yeah.

6                   SERGEANT PALKOVIC: So you're getting a  
7 contract high. It's like Cheech and Chong.  
8 There's a big cloud in there, right?

9                   Redacted                   Yeah, there was.

10                  SERGEANT PALKOVIC: Yeah, okay. So then  
11 a coach comes up?

12                  Redacted                   Yeah.

13                  SERGEANT PALKOVIC: Coach --

14                  Redacted                   Coach Taylor.

15                  SERGEANT PALKOVIC: Coach Taylor comes up  
16 to the car, and you guys do the, oh, no thing.

17                  Redacted                   Yeah.

18                  SERGEANT PALKOVIC: Except there's  
19 probably --

20                  Redacted                   More --

21                  SERGEANT PALKOVIC: -- stronger words.

22                  Redacted                   Yeah.

23                  SERGEANT PALKOVIC: Did you guys roll the  
24 windows down then?

25                  Redacted                   No. He told us to stay in the

1 car, and then he called up Morales; and Morales  
2 came.

3 SERGEANT PALKOVIC: Okay. So Morales  
4 showed up. So you guys were in the car the whole  
5 time when Morales came?

6 Redacted I think he told us to get out  
7 actually, like before.

8 SERGEANT PALKOVIC: So everybody got out?

9 Redacted Yeah. Everyone got out, and  
10 they seen that it was still like smoking and  
11 stuff, the car.

12 SERGEANT PALKOVIC: You guys must have  
13 been smoking a lot.

14 Redacted A little.

15 SERGEANT PALKOVIC: So Morales shows up  
16 with -- with the other security and the cop?

17 Redacted Yes.

18 SERGEANT PALKOVIC: So everybody shows  
19 up?

20 Redacted Yes.

21 SERGEANT PALKOVIC: What happens then  
22 when they all show up?

23 Redacted They told us just to empty our  
24 pockets, and they searched us and --

25 SERGEANT PALKOVIC: Did anybody

1 physically search you? Like anybody physically go  
2 into your pockets and search you?

3 Redacted They didn't go through my  
4 pockets. They told us to pull everything out.

5 SERGEANT PALKOVIC: So it was a visual?

6 Redacted Yeah, visual.

7 SERGEANT PALKOVIC: They just saw what  
8 you were pulling out?

9 Redacted Yes.

10 SERGEANT PALKOVIC: Okay. And were you  
11 guys putting everything on the golf cart?

12 Redacted Yeah. On the golf cart.  
13 Yeah.

14 SERGEANT PALKOVIC: When you got done  
15 getting checked, where did you go?

16 Redacted They told us to sit on the  
17 log. There was some log that was out there.

18 SERGEANT PALKOVIC: Okay.

19 Redacted And then they just walked us  
20 down eventually.

21 SERGEANT PALKOVIC: So everybody is  
22 sitting on the log. I'm just trying to mentally  
23 picture. All of you guys are sitting on the log.  
24 Did anybody go search the car?

25 Redacted Yeah. I think so. They just



1 checked -- they opened it, and they saw it was  
2 smoking.

3 SERGEANT PALKOVIC: Who is they?

4 Redacted I guess Coach Blevins. Coach  
5 Blevins walked out there too.

6 SERGEANT PALKOVIC: Oh, so Coach Blevins  
7 was there?

8 Redacted Yeah.

9 SERGEANT PALKOVIC: Do you know if  
10 anything was found in the car?

11 Redacted Just the pipe.

12 SERGEANT PALKOVIC: Pipe was found in the  
13 car?

14 Redacted Yeah.

15 SERGEANT PALKOVIC: And then -- so who  
16 had weed on them? Was --

17 Redacted Redacted

18 SERGEANT PALKOVIC: Somebody had weed,  
19 right?

20 Redacted Yeah. Redacted had some.

21 SERGEANT PALKOVIC: Did you see like what  
22 it looked like or --

23 Redacted No.

24 SERGEANT PALKOVIC: -- anything?

25 Redacted I think it was in a big bag or

1 something.

2 SERGEANT PALKOVIC: So you don't know?

3 Redacted No.

4 SERGEANT PALKOVIC: Okay. How do you  
5 know a pipe was found in the car?

6 Redacted They pulled it out of the car,  
7 and they were like -- they were asking whose it  
8 was.

9 SERGEANT PALKOVIC: Oh, so they were  
10 holding it up?

11 Redacted Yeah.

12 SERGEANT PALKOVIC: Would you recognize  
13 the pipe again if you saw it?

14 Redacted Probably not.

15 SERGEANT PALKOVIC: All right. So then  
16 once you guys were on the log, then everybody gets  
17 up, and you walk up to the office?

18 Redacted Yes.

19 SERGEANT PALKOVIC: You come up to the  
20 office. Everybody goes in the counseling center  
21 here.

22 Redacted Yeah.

23 SERGEANT PALKOVIC: And you guys all  
24 write your statement out, right?

25 Redacted Yeah.

1                   SERGEANT PALKOVIC: Did everybody go see  
2 their VP then, everybody's principal?

3                   Redacted               Yeah.

4                   SERGEANT PALKOVIC: Did you ever  
5 physically come into this office --

6                   Redacted               Yes.

7                   SERGEANT PALKOVIC: -- and get talked to?

8                   Redacted               Yeah. I talked to Coach  
9 Gonzalez or --

10                  SERGEANT PALKOVIC: That's fine. He's a  
11 coach too.

12                  Redacted               Yeah.

13                  SERGEANT PALKOVIC: The officer?

14                  Redacted               Officer Gonzalez.

15                  SERGEANT PALKOVIC: What did you guys  
16 talk about in here?

17                  Redacted               Just about my mistakes and  
18 what I was planning on doing after being suspended  
19 and stuff.

20                  SERGEANT PALKOVIC: So he never said that  
21 you're under arrest or anything?

22                  Redacted               No.

23                  SERGEANT PALKOVIC: He never read you  
24 your rights?

25                  Redacted               No.

1           SERGEANT PALKOVIC:   Okay, cool.   You're  
2   not.

3           Redacted           Yeah.   I'm just --

4           SERGEANT PALKOVIC:   You're looking at me  
5   going, oh, my God --

6           Redacted           Memorized what happened.

7           SERGEANT PALKOVIC:   All right.   Okay,  
8   cool.   So then you got -- so how come you got  
9   suspended?   It says under the influence here.

10          Redacted           I think just because I was in  
11   the car with them and guilty by association.

12          SERGEANT PALKOVIC:   Okay.   Was there  
13   anything out of this whole ordeal that you may  
14   have thought was a little odd, the way people were  
15   acting or treating you or anything?

16          Redacted           Not really.   No.

17          SERGEANT PALKOVIC:   Everything looked  
18   pretty much normal?

19          Redacted           Yeah, I guess.

20          SERGEANT PALKOVIC:   All right.   Cool.  
21   You got any questions for me?

22          Redacted           No.

23          SERGEANT PALKOVIC:   Okay.

24          (END OF RECORDING)

25

## 1 CERTIFICATE OF TRANSCRIPTIONIST

2 I certify that the foregoing is a true  
3 and accurate transcript of the digital recording  
4 provided to me in this matter.

5 I do further certify that I am neither a  
6 relative, nor employee, nor attorney of any of the  
7 parties to this action, and that I am not  
8 financially interested in the action.

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15 A handwritten signature in blue ink, appearing to read 'J Thompson', with a horizontal line extending to the right.

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17 Julie Thompson, CET-1036  
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10                   TRANSCRIPT OF INTERVIEW  
11                   VIRGINIA STURGEON  
12           BY SERGEANT DAN PALKOVIC  
13                   APRIL 30 , 2013  
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Page 1

1 (FILE 130510\_000)

2 SERGEANT PALKOVIC: This interview is  
3 with Ms. Sturgeon on 5/10/2013 at 7:45, and we are  
4 going to talk about the incident on 4/11 --

5 MS. STURGEON: Okay.

6 SERGEANT PALKOVIC: -- 2013 in the dirt  
7 parking lot.

8 MS. STURGEON: Okay.

9 SERGEANT PALKOVIC: So if you could  
10 please tell me everything that you know about  
11 that.

12 MS. STURGEON: Okay. Well, security came  
13 to tell me that they had found a group of boys in  
14 a car, parked behind a container in the dirt  
15 parking lot. And the reason they even went out to  
16 look was because that's a construction parking  
17 zone and off limits to students, and there were a  
18 whole group of boys walking back there behind the  
19 container towards the beginning of school. So it  
20 just was unusual. And so they followed them to  
21 see where they were going.

22 And the car was full of smoke, and there  
23 were kids in there smoking marijuana and other  
24 kids just sitting in the car inhaling the -- the  
25 smoke. So they brought them all into the

1 counseling center, and they were interviewed and  
2 searched by security and the police officer.

3 SERGEANT PALKOVIC: Do you know if  
4 anything was found out there in the car or on the  
5 kids?

6 MS. STURGEON: Yes. When I went over to  
7 the police officer to see how things were going,  
8 he showed me a glass pipe and some marijuana in --  
9 in a plastic container. And so it looked like a  
10 lot to me, so I said, oh, how much is it? Is it  
11 25.8 grams? Do -- you know, how -- how am I going  
12 to make my decision here? And so he took out a  
13 scale and weighed it, and it wasn't. It was only  
14 actually about eight grams, just -- it just was  
15 very big.

16 So that -- and then he put the scale away  
17 and kept all the stuff and identified that Redacted  
18 Redacted had confessed to bringing the marijuana, and  
19 Redacted had confessed to bringing the pipe.

20 SERGEANT PALKOVIC: Where was -- where  
21 did the officer weight this marijuana?

22 MS. STURGEON: In his office at his desk.

23 SERGEANT PALKOVIC: So he took out a  
24 scale from his desk?

25 MS. STURGEON: From his desk. Yeah.



1           SERGEANT PALKOVIC: Okay. Do you  
2 remember the color of the container?

3           MS. STURGEON: No.

4           SERGEANT PALKOVIC: Or the plastic  
5 container?

6           MS. STURGEON: Yeah. I couldn't swear to  
7 it. In my -- in my recollection of it, it was  
8 like purple or pink or something like that, you  
9 know, some color, not -- not a clear colorless  
10 one. But I could be wrong. I don't remember, but  
11 it was like a medicine type container.

12           SERGEANT PALKOVIC: Okay. And then you  
13 said that he weighed it, and it was eight grams?

14           MS. STURGEON: Uh-huh (affirmative).

15           SERGEANT PALKOVIC: Interesting. And  
16 then who --

17           MS. STURGEON: Or what -- or whatever I  
18 put in my report. I put the --

19           SERGEANT PALKOVIC: Yeah. If you could  
20 look for me, please.

21           MS. STURGEON: Whatever -- whatever I put  
22 in my report is what -- is what it was maybe. So  
23 let me just look that up because right now I'm  
24 just taking that off of my memories.

25           SERGEANT PALKOVIC: So then when you were

1 in there --

2 MS. STURGEON: Uh-huh (affirmative).

3 SERGEANT PALKOVIC: -- and you got all  
4 the info that you needed from the officer in his  
5 office --

6 MS. STURGEON: Uh-huh (affirmative).

7 SERGEANT PALKOVIC: -- you left and the  
8 glass pipe and marijuana stayed with him?

9 MS. STURGEON: Correct.

10 SERGEANT PALKOVIC: Okay.

11 MS. STURGEON: They stayed there, and  
12 then I -- when he was finished talking to the  
13 boys, then I talked to them and called their  
14 parents. That was -- I think Redacted actually  
15 called his mom already on his own, and then I  
16 called Redacted . But I interviewed both  
17 parents, but the parents also spoke to the police  
18 officer that day.

19 SERGEANT PALKOVIC: And do you know if  
20 they were arrested or not?

21 MS. STURGEON: I -- to the best of my  
22 knowledge, I was told that they were arrested.

23 SERGEANT PALKOVIC: All right.

24 MS. STURGEON: And so that's what I wrote  
25 in my report.

1 SERGEANT PALKOVIC: Okay.

2 MS. STURGEON: But I didn't see a  
3 citation. I know from talking with Redacted  
4 and his dad, they were under the impression that  
5 his son was arrested. And that -- Redacted said  
6 that he would -- Redacted said that the officer  
7 told him he would hear from the district attorney  
8 in six weeks to two months or something, and it  
9 would be up to the district attorney. So it could  
10 be dropped. It could be go to some kind of youth  
11 court or an arrest, but probably in the case of  
12 the pipe it wouldn't be. It would just be  
13 dropped. But -- so dad left under the impression  
14 that his son had been arrested for possession of  
15 the marijuana pipe.

16 SERGEANT PALKOVIC: Okay.

17 MS. STURGEON: And Redacted was also  
18 under the impression that her son had been  
19 arrested for possession of marijuana but a small  
20 -- but not -- but for personal use not for  
21 distribution.

22 Oh, I'm sorry. 1.65 grams of marijuana.

23 SERGEANT PALKOVIC: Okay.

24 MS. STURGEON: And that's --

25 SERGEANT PALKOVIC: If I showed you a

1 picture of the pipe or marijuana, would you be  
2 able to identify it you think?

3 MS. STURGEON: I could try.

4 SERGEANT PALKOVIC: Okay.

5 MS. STURGEON: I could try.

6 SERGEANT PALKOVIC: 200, go ahead.

7 MS. STURGEON: Oh, yeah. That's the pipe  
8 for sure.

9 SERGEANT PALKOVIC: Affirm.

10 MS. STURGEON: So -- yeah. To the best --  
11 --

12 SERGEANT PALKOVIC: So the pipe for sure,  
13 and --

14 MS. STURGEON: And so I would say --  
15 since in my mind I remember it being colored, you  
16 know, a vial that was colored --

17 SERGEANT PALKOVIC: Right.

18 MS. STURGEON: -- which seemed kind of  
19 funny for a boy to carry around.

20 SERGEANT PALKOVIC: And does that look --

21 MS. STURGEON: Uh-huh (affirmative).

22 SERGEANT PALKOVIC: -- like the large  
23 amount of marijuana you saw?

24 MS. STURGEON: Uh-huh (affirmative).  
25 Yeah. Because it was a big bud like that. Yeah.

1 SERGEANT PALKOVIC: Okay.

2 MS. STURGEON: Uh-huh (affirmative).

3 Yeah.

4 SERGEANT PALKOVIC: All right. So then  
5 this you left -- these items you left --

6 MS. STURGEON: With the police.

7 SERGEANT PALKOVIC: -- which is the pipe,  
8 with the police officer?

9 MS. STURGEON: Uh-huh (affirmative).  
10 Yes.

11 SERGEANT PALKOVIC: And then the -- you  
12 came over here and dealt with the kids as far as  
13 your suspension goes and that was it?

14 MS. STURGEON: Correct. That was it.

15 SERGEANT PALKOVIC: Okay.

16 MS. STURGEON: Uh-huh (affirmative).

17 SERGEANT PALKOVIC: Perfect.

18 MS. STURGEON: You're welcome. Uh-huh  
19 (affirmative).

20 (END OF RECORDING)

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17 Julie Thompson, CET-1036  
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